

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

United States v. Salazar

No. 1:23-cv-01282-JLT-CDB (E.D. Cal. May 13, 2025) · No. 1:23-cv-01282-JLT-CDB · Decided May 13, 2025

OPINION

United States v. Salazar

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 UNITED STATES OF AMERICA, Case No. 1:23-cv-01282-JLT-CDB 12 Plaintiff, ORDER
ADOPTING FINDINGS AND

RECOMMENDATIONS AND DENYING

13

v. DEFENDANTS' MOTION TO SET ASIDE

14 DEFAULT JUDGMENT

JAVIER SALAZAR, JR., et al., 15 (Doc. 40) Defendants. 16 17 18 The United States of America initiated this action against Javier Salazar, Jr., Javier 19 Salazar Sr., and Ricardo Covarrubias to enforce the provisions of Title VIII of the Civil Rights 20 Act of 1968, as amended, 42 U.S.C. §§ 3601, et seq. (the "Fair Housing Act" or "FHA"), on 21 behalf of Angela McGinnis. (Doc. 1 at ¶¶ 1-2.) On October 28, 2024, the undersigned adopted the 22 magistrate judge's findings and recommendations and granted Plaintiff's motion for default 23 judgment against Defendants. (Doc. 35.) 24 On November 25, 2024, Defendants (through newly noticed counsel) filed a motion to set 25 aside the default judgment. (Doc. 37.) Plaintiff filed an opposition on December 9, 2024. (Doc. 26 39.) The motion was referred to the assigned magistrate judge. (Doc. 38.) 27 On April 23, 2025, the assigned magistrate judge issued findings and recommendations to 1 | defense weigh in favor of maintaining the default judgment. (Doc. 40.) (citing *Brandt v. Am. 2 | Bankers Ins. Co. of Fla.*, 653 F.3d 1108, 1111 (9th Cir. 2011); *U.S. v. Aguilar*, 782 F.3d 1101, 3 | 1105 (9th Cir. 2015); and *U.S. v. Signed Personal Check No. 730 of Yubran S. Mesle*, 615 F.3d 4 | 1085, 1091 (9th Cir. 2010).) The findings and recommendations were served upon the parties and 5 | advised them that they may file written objections within 14 days (i.e., not later than May 7, 6 | 2025) and that "failure to file any objections within the specified time may result in the waiver of 7 | rights on appeal." (/d. at 13) (citing *Wilkerson v. Wheeler*, 772 F.3d 834, 839 (9th Cir. 2014).) No 8 | party filed objections or any other response and the deadline to do so has passed. 9 Pursuant to 28 U.S.C. § 636(b)(1)(C), and Local Rule 304, this Court conducted a de novo 10 | review of this

case. Having carefully reviewed the entire matter, this Court concludes the findings 11 | and recommendations are supported by the record and by proper analysis.

12 CONCLUSION AND ORDER

13 For the reasons set forth above: 14 1. The April 23, 2025, findings and recommendations (Doc. 40) are ADOPTED IN 15 FULL. 16 2. Defendants' motion to set aside default judgment (Doc. 37) is DENIED. 17 18 IT IS SO ORDERED. 19 | Dated: _ May 13, 2025 Charis [Tourn

TED STATES DISTRICT JUDGE

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