

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Seyed Saeid Zamanieh Shahri v. Los Rios Community College
District

Zamanieh Shahri · No. 2:23-cv-1569-DJC-JDP (PS) · Decided June 25, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the Magistrate Judge’s findings and recommendations in this action against Los Rios Community College District. The court dismissed all claims other than a specified retaliation claim as untimely, partially granted the defendant’s motion to strike, and referred the matter back to the Magistrate Judge for further pretrial proceedings.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Daniel J. Calabretta
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 25, 2025
DOCKET	2:23-cv-1569-DJC-JDP (PS)
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's findings and recommendations following plaintiff's objections, then ruled on defendant's motion to dismiss and motion to strike.
STANDARD OF REVIEW	The district court presumed the magistrate judge's factual findings correct and reviewed the magistrate judge's legal conclusions de novo.
PRECEDENTIAL VALUE	unpublished district court order

TOPICS

- motions to dismiss
- statute of limitations
- pleadings
- injunctions
- civil procedure

PRACTICE AREAS

- Civil rights
- Federal civil procedure

QUESTIONS PRESENTED

1. What standard of review governs the district court's review of the magistrate judge's findings and recommendations?
2. Whether claims other than the retaliation claim set forth in charge 555-2020-01236 were untimely and should be dismissed without leave to amend.
3. Whether portions of the First Amended Complaint, including its addendum and demands for termination of other employees and enforcement of state-court orders, should be stricken.
4. Whether the requests under the heading "Assurances and Preventative Measures" could theoretically support injunctive relief.

HOLDINGS

1. The district court presumes the magistrate judge's findings of fact correct and reviews the magistrate judge's conclusions of law de novo.
2. All claims other than the retaliation claim set forth in charge 555-2020-01236 were dismissed as untimely, without leave to amend.
3. The addendum portion of the First Amended Complaint and the portions of the statement of demands seeking termination of other employees and enforcement of state-court orders were stricken, while the motion to strike was denied as to the requests under "Assurances and Preventative Measures."

KEY QUOTATIONS

"[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court" (at 1)

FACTUAL BACKGROUND

Plaintiff filed a First Amended Complaint asserting claims, including a retaliation claim identified by charge number 555-2020-01236, and seeking various forms of relief. Defendant moved to dismiss and to strike portions of the amended complaint. The district court concluded that all claims other than the specified retaliation claim were untimely, while allowing that claim to proceed, and struck the complaint's addendum and certain demands for termination of other employees and enforcement of state-court orders.

PROCEDURAL HISTORY

The matter was referred to a United States Magistrate Judge under 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. The magistrate judge issued findings and recommendations on May 20, 2025, and plaintiff filed objections on May 27, 2025. The district court adopted the findings and recommendations, granted defendant's motion to dismiss in part, granted the motion to strike in part, and referred the matter back to the magistrate judge for further pretrial proceedings.

DISPOSITION

other

REMAND INSTRUCTIONS

The matter was referred back to the assigned magistrate judge for all further pretrial proceedings.

CASES CITED

- Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979)
- Robbins v. Carey, 481 F.3d 1143, 1147 (9th Cir. 2007)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 SEYED SAEID ZAMANIEH SHAHRI, No. 2:23-cv-1569-DJC-JDP (PS)
12 Plaintiff, 13 v. ORDER 14 LOS RIOS COMMUNITY COLLEGE DISTRICT, 15 Defendant.
16 17 This matter was referred to a United States Magistrate Judge pursuant to 28 18 U.S.C. §
636(b)(1)(B) and Local Rule 302.

On May 20, 2025, the Magistrate Judge filed 19 findings and recommendations herein which were
served on the parties and which 20 contained notice that any objections to the findings and
recommendations were to be 21 filed within fourteen days. Plaintiff filed objections on May 27,
2025, and they were 22 considered by the undersigned. 23 The Court presumes that any findings
of fact are correct.

See Orand v. United 24 States, 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge's
conclusions of law 25 are reviewed de novo. See Robbins v. Carey, 481 F.3d 1143, 1147 (9th Cir.
2007) 26 ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the 27
district court and [the appellate] court....").

Having reviewed the file, the court finds 28 1 the findings and recommendations to be supported
by the record and by the proper 2 || analysis in large part. Having reviewed the file, the Court finds
the findings and 3 | recommendations to be supported by the record and by the proper analysis in
large 4 | part.

However, while the precise phrasing of the relief in the First Amended 5 | Complaint (ECF No. 42)
at page 24 under the heading "6. Assurances and 6 | Preventative Measures" is inartful, the
substance of the requests under them could 7 | theoretically form the basis of injunctive relief, and
the Court will deny the motion to 8 | strike as to those requests for relief.

9 Accordingly, IT IS HEREBY ORDERED that: 10 1. The proposed Findings and
Recommendations filed May 20, 2025 (ECF No. 11 | 55) are adopted; 12 2. Defendant's motion to
dismiss (ECF No. 44) is GRANTED in part as follows: 13 a. all claims other than the retaliation

claim set forth in charge 555-2020- 14 | 01236 are DISMISSED without leave to amend as untimely; and 15 b. the motion is denied in all other respects.

16 3. Defendant's motion to strike (ECF No. 45) is GRANTED in part as follows: 17 a. The “addendum” portion of the amended complaint (ECF No. 42), is 18 | stricken, as are the portions of the “statement of demands” that seek the termination 19 | of other employees and enforcement of state court orders; and 20 b. The motion is denied in all other respects. 21 4.

This matter is referred back to the assigned Magistrate Judge for all further 22 | pretrial proceedings. 23 IT IS SO ORDERED. 25 | Dated: _June 24, 2025 “Darl J □□ bratte— Hon. Daniel alabretta 26 UNITED STATES DISTRICT JUDGE 27 28