

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Gastelum v. Nihal, LLC

Gastelum · No. 2:23-cv-0577-KJM-JDP (PS) · Decided September 2, 2025

OPINION

(PS) Gastelum v. Nihal, LLC

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 FERNANDO GASTELUM, Case No. 2:23-cv-0577-KJM-JDP (PS) 12 Plaintiff, 13 v.
ORDER

14 NIHAL, LLC,

15 Defendants. 16

17 On July 17, 2025, the magistrate judge filed findings and recommendations, which were 18
served on the parties and which contained notice that any objections to the findings and 19
recommendations were to be filed within fourteen days. No objections were filed. 20 The court
presumes that any findings of fact are correct. See *Orand v. United States*, 21 602 F.2d 207, 208
(9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed de 22 novo. See *Robbins*
v. Carey, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by 23 the magistrate
judge are reviewed de novo by both the district court and [the appellate] court 24 . . .”). Having
reviewed the file, the court finds the findings and recommendations to be 25 supported by the
record and by the proper analysis. 26 Accordingly, IT IS HEREBY ORDERED that: 27 1. The
Findings and Recommendations filed July 17, 2025, are ADOPTED; 28 2. Defendant’s motion for
summary judgment, ECF No. 20, is GRANTED; 1 3. Judgment is entered in defendant’s favor on
plaintiff’s ADA claims; 2 4. The court declines to exercise supplemental jurisdiction over
plaintiff’s state law 3 claims; 4 5. Plaintiff’s state law claims are dismissed without prejudice to
plaintiff bringing them, 5 if he wishes, in state court; 6 6. Plaintiff’s motion for summary
judgment, ECF No. 16, is DENIED; and 7 7. The Clerk of Court is directed to close the case. 8
DATED: August 29, 2025. 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28