

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Estate of Irene Rivera, et al. v. Kern County Sheriff's Office, et al.

Estate of Rivera · No. 1:24-cv-01141-CDB · Decided July 8, 2025

SUMMARY

The United States District Court for the Eastern District of California granted Plaintiffs leave to file a first amended complaint in an action arising from Irene Rivera's death while in custody at the Kern County Sheriff's Office. The amended complaint adds claims under the Americans with Disabilities Act and Rehabilitation Act and names additional individual defendants; Plaintiffs were ordered to file it within seven days, and Defendants were given 45 days to respond.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 ESTATE OF IRENE RIVERA, et al., Case No. 1:24-cv-01141-CDB 12
Plaintiffs, ORDER ON STIPULATION GRANTING PLAINTIFFS LEAVE TO FILE FIRST 13
v. AMENDED COMPLAINT AS MODIFIED 14 KERN COUNTY SHERIFF'S OFFICE, (Doc.
25) et al., 15 7-DAY DEADLINE Defendants. 16 17 Plaintiffs Estate of Irene Rivera, through
successor in interest R. R.; Bertha Rivera, 18 individually and as guardian ad litem for minor R.
R.; and Jose Rivera initiated this action with 19 the filing of a complaint on September 24, 2024.

(Doc. 1). Plaintiffs assert claims against 20 Defendants Kern County Sheriff's Office, Kern
County, Sheriff Donny Youngblood, and Kern 21 County Hospital Authority arising from the
death of decedent Irene Rivera while in custody at 22 Kern County Sheriff's Office, Central
Receiving Facility, on September 10, 2023. See *id.* 23 Pending before the Court is the parties'
stipulated request for an order granting Plaintiffs 24 leave to file a first amended complaint.

(Doc. 25). Plaintiffs attach to said filing a copy of the 25 proposed first amended complaint. (Doc.
25-2). The proposed first amended complaint adds two 26 causes of action, bringing claims under
the Americans with Disabilities Act and Rehabilitation 27 Act, and the following individuals as
defendants: (1) Deputy Lexi Pressley; (2) Deputy Samuel 1 | Nurse Julius Quilala.

See (Doc. 25-2). The parties request that Plaintiffs be provided 15 days 2 | after issuance of this
order within which to file the proposed first amended complaint as a stand- 3 | alone docket entry,
and Defendants be provided 45 days after service of the first amended 4 | complaint within which
to file a response. (Doc. 25 at 2-3). 5 Having considered the parties' stipulated representations and
the factors enunciated in 6 | *Western Shoshone Nat'l Council v. Molini*, 951 F.2d 200, 204 (9th Cir.

1991), cert. denied, 506 7 | U.S. 822 (1992), the parties' request for Plaintiffs to have leave to amend the complaint will be 8 | granted. 9 Conclusion and Order 10 In light of the parties' representations and good cause appearing, IT IS HEREBY 11 | ORDERED: 12 1. Within seven (7) days of issuance of this order, Plaintiffs SHALL FILE as a stand-alone 13 docket entry the first amended complaint proposed in the parties' stipulation (Doc.

25-2); 14 and 15 2. Defendants shall respond to the first amended complaint within 45 days of its service. See 16 Fed. R. Civ. P. 15(a)(3). 17 | IT IS SOORDERED. | Dated: _ July 7, 2025 | hr 19 UNITED STATES MAGISTRATE JUDGE 20 21 22 23 24 25 26 27 28