

**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

OPINION

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

PER CURIAM.

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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