

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Melanie Delapaz v. Mitsuko Osuga et al.

Delapaz · No. 2:25-cv-10342-SB-PVC · Decided November 5, 2025

SUMMARY

The United States District Court for the Central District of California issued an order to show cause concerning Plaintiff Melanie Delapaz’s Unruh Act claim arising from alleged ADA-accessibility barriers. The Court indicated that it may decline supplemental jurisdiction under 28 U.S.C. § 1367(c) (4) based on the federalism and comity concerns identified in *Arroyo v. Rosas*, and ordered Plaintiff to explain why the claim should not be dismissed without prejudice.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	Stanley Blumenfeld, Jr.
JURISDICTION	United States District Court for the Central District of California
DECIDED	November 5, 2025
DOCKET	2:25-cv-10342-SB-PVC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed an action alleging that defendants' facilities contain physical barriers violating the Americans with Disabilities Act and the California Unruh Civil Rights Act. Before adjudicating the merits, the district court issued an order to show cause why the Unruh Act claim should not be dismissed without prejudice for lack of supplemental jurisdiction.
STANDARD OF REVIEW	Supplemental jurisdiction is discretionary; a district court may decline jurisdiction under 28 U.S.C. § 1367(c), including when exceptional circumstances and compelling reasons justify declining jurisdiction.
PRECEDENTIAL VALUE	unpublished district court order; nonprecedential

TOPICS

- subject matter jurisdiction
- civil procedure
- ada / disability
- public accommodations discrimination

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court had supplemental jurisdiction over plaintiff's closely related Unruh Act claim.
2. Whether exceptional circumstances under 28 U.S.C. § 1367(c)(4), including the federalism and comity concerns identified in *Arroyo v. Rosas*, warranted declining supplemental jurisdiction over the Unruh Act claim before adjudication of the merits.

HOLDINGS

1. Because the Unruh Act claim was closely related to the ADA claim, the court had authority to exercise supplemental jurisdiction under 28 U.S.C. § 1367(a), but supplemental jurisdiction remained discretionary rather than a right of the plaintiff.
2. At the preliminary order-to-show-cause stage, the circumstances identified in *Arroyo v. Rosas* appeared to support declining supplemental jurisdiction over the ADA-based Unruh Act claim under § 1367(c)(4), subject to plaintiff's response.

KEY QUOTATIONS

“supplemental jurisdiction “is a doctrine of discretion, not of plaintiff’s right,””

“retention of supplemental jurisdiction over ADA-based Unruh Act claims threatens to substantially thwart California’s carefully crafted reforms in this area and to deprive the state courts of their critical role in effectuating the policies underlying those reforms.” (1213)

FACTUAL BACKGROUND

Plaintiff Melanie Delapaz requires a wheelchair while traveling in public. She alleged that defendants' facilities impose physical barriers that impede her access, asserting claims under the Americans with Disabilities Act and the California Unruh Civil Rights Act. The court noted that the case remained at a very early stage and that it had not adjudicated the merits of any claim.

PROCEDURAL HISTORY

The action was pending at an early stage, and the court had not addressed or adjudicated the merits of any claim. The court issued an order requiring plaintiff to explain within 14 days why the Unruh Act claim should not be dismissed without prejudice under 28 U.S.C. § 1367(c)(4), including by identifying the requested statutory damages and submitting declarations addressing whether plaintiff and counsel qualify as high-frequency litigants.

DISPOSITION

other

CASES CITED

- *City of Chi. v. Int'l Coll. of Surgeons*, 522 U.S. 156, 172 (1997)
- *Arroyo v. Rosas*, 19 F.4th 1202, 1213, 1215–17 (9th Cir. 2021)

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