

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Justin Gottfried and Latia Noah v. ODHS, City of Eugene, Saint Vincent DePaul, Carly Davy, Aleisha Conway, Kimi Murayama, Daniel Delgado, Jenny Mitchell, Leasa Stephens, Bill Palmer, and Doe Defendants 1-25

Gottfried · No. 6:25-cv-01827-AP · Decided June 5, 2026

SUMMARY

The United States District Court for the District of Oregon adopts a magistrate judge’s Findings and Recommendation after determining that the plaintiffs’ objections were untimely and meritless. The court denies the plaintiffs’ motion for recusal and dismisses the amended complaint with prejudice for failure to state a claim, concluding that further amendment would be futile.

CASE DETAILS

COURT	United States District Court for the District of Oregon
WRITING FOR THE COURT	Michael J. McShane
JURISDICTION	United States District Court for the District of Oregon
DECIDED	June 5, 2026
DOCKET	6:25-cv-01827-AP
DISPOSITION	dismissed
PROCEDURAL POSTURE	District court review of a magistrate judge's Findings and Recommendation after plaintiffs filed untimely objections; the court denied a motion for recusal, adopted the Findings and Recommendation, and dismissed the amended complaint with prejudice.
STANDARD OF REVIEW	When no timely objections are filed to a magistrate judge's proposed findings and recommendation, the district court reviews for clear error; the court stated that even under de novo review the objections would fail.
PRECEDENTIAL VALUE	unpublished district court order; precedential status not identified in the source

PARTIES

Justin Gottfried, Latia Noah v. ODHS, City of Eugene, Saint Vincent DePaul, Carly Davy, Aleisha Conway, Kimi Murayama, Daniel Delgado, Jenny Mitchell, Leasa Stephens, Bill Palmer, Doe
Defendants 1-25

TOPICS

civil procedure

pleadings

section 1983

PRACTICE AREAS

Civil procedure

Civil rights

QUESTIONS PRESENTED

1. What standard of review applies when objections to a magistrate judge's Findings and Recommendation are untimely?
2. Whether the plaintiffs' untimely objections warranted rejection of the magistrate judge's Findings and Recommendation.
3. Whether the amended complaint failed to state a claim and further amendment would be futile.
4. Whether plaintiffs' motion for recusal should be granted.

HOLDINGS

1. When no timely objections are filed, the district court reviews the magistrate judge's findings for clear error rather than conducting de novo review.
2. The plaintiffs' untimely objections did not establish error in the magistrate judge's Findings and Recommendation, and the Findings and Recommendation was properly adopted.
3. The amended complaint failed to state a claim for relief, and further amendment was futile after multiple screening orders; the case was therefore dismissed with prejudice.
4. The plaintiffs' motion for recusal was denied.

KEY QUOTATIONS

“When no timely objections are filed, the Court reviews the matter for clear error.” (at 1)

“Further, Plaintiffs have failed to state a claim for relief in their Amended Complaint (ECF No. 32) and the case is DISMISSED WITH PREJUDICE.” (at 2)

FACTUAL BACKGROUND

The plaintiffs' amended complaint had undergone multiple screening orders, and the magistrate judge determined that it failed to state a claim for relief. The magistrate judge further found that additional amendment would be futile. Plaintiffs filed objections after the May 13, 2026 deadline and attempted to attach a supplemental complaint and supplemental authority.

PROCEDURAL HISTORY

Magistrate Judge Amy E. Potter issued Findings and Recommendation concluding that plaintiffs failed to state a claim and that further amendment would be futile after multiple screening orders. Plaintiffs filed objections after the deadline and also sought recusal. The district court reviewed the matter for clear error, alternatively considered the objections de novo, found no error, denied recusal, adopted the Findings and Recommendation in full, and dismissed the case with prejudice.

DISPOSITION

dismissed

CASES CITED

- Simon v. Hartford Life, Inc., 546 F.3d 661, 664–65 (9th Cir. 2008)
- Rasberry v. Garcia, 448 F.3d 1150, 1154 (9th Cir. 2006)
- Campbell v. U.S. Dist. Ct. for N. Dist. of Cal., 501 F.2d 196, 206 (9th Cir. 1974)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON EUGENE DIVISION JUSTIN GOTTFRIED, Case No. 6:25-cv-01827-AP LATIA NOAH, ORDER Plaintiffs, v. ODHS, CITY OF EUGENE, SAINT VINCENT DEPAUL, CARLY DAVY, ALEISHA CONWAY, KIMI MURAYAMA, DANIEL DELGADO, JENNY MITCHELL, LEASA STEPHENS, BILL PALMER, DOE DEFENDANTS 1-25, Defendants. _____ MCSHANE, Judge: Magistrate Judge Amy E. Potter filed a Findings and Recommendation (F&R, ECF No. 47), and the matter is now before this court.

See 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72. Plaintiffs filed Objections on June 1, 2026, well beyond the deadline of May 13, 2026 for timely filing objections.¹ ECF No. 49. As Judge Potter advised, “a party’s failure to timely file objections to any of these findings will be considered a waiver of that party’s right to de novo consideration ¹ Plaintiffs’ filing is signed and dated “May 31, 2026.” In addition, it is signed only by Plaintiff Justin Gottfried.

Pro se litigants may not represent anyone other than themselves. Simon v. Hartford Life, Inc., 546 F.3d 661, 664–65 (9th Cir. 2008). 1 – ORDER of the factual issues addressed herein and will constitute a waiver of the party’s right to review of the findings of fact in any order or judgment entered by a district judge.” F&R 8; see Rasberry v. Garcia, 448 F.3d 1150, 1154 (9th Cir.

2006) (holding pro se status does not exempt litigant from complying with court deadlines). When no timely objections are filed, the Court reviews the matter for clear error. E.g., Campbell v. U.S. Dist. Ct. for N. Dist. of Cal., 501 F.2d 196, 206 (9th Cir. 1974) (“If neither party contests the

magistrate[] [judge's] proposed findings of fact, the court may assume their correctness and decide the motion on the applicable law.”).

Having reviewed the record and Findings and Recommendation, the Court finds no error and concludes the report is correct. Even if the Court were to review Judge Potter's findings de novo, Plaintiffs' objections are meritless.² Judge Potter identified multiple independent and sufficient reasons Plaintiffs fail to state a claim and properly deemed further amendment futile after multiple screening orders.

Magistrate Judge Potter's Findings and Recommendation (ECF No. 47) is adopted in full. Plaintiffs' Motion for Recusal (ECF No. 45) is DENIED. Further, Plaintiffs have failed to state a claim for relief in their Amended Complaint (ECF No. 32) and the case is DISMISSED WITH PREJUDICE. IT IS SO ORDERED. DATED this 5th day of June, 2026. s/Michael J. McShane
Michael J. McShane United States District Judge 2 Plaintiffs attach a “Supplemental Complaint” (ECF No. 49-1) and refer to “Supplemental Authority” (ECF No. 49-2) in the Objections.

Plaintiffs' Objections are not an appropriate avenue for amending claims or presenting new theories following multiple screenings by the assigned Magistrate Judge. 2 – ORDER