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UNITED STATES DISTRICT COURT

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CENTRAL DISTRICT OF CALIFORNIA - WESTERN DIVISION

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10 DERRICK L. JOHNSON,

Case No. CV 24-03735-JGB (AS)

11 Plaintiff,

ORDER ACCEPTING FINDINGS,

12 v.

CONCLUSIONS AND RECOMMENDATIONS OF

13 CALIFORNIA, et, al.,

UNITED STATES MAGISTRATE JUDGE

14

15 Defendants.

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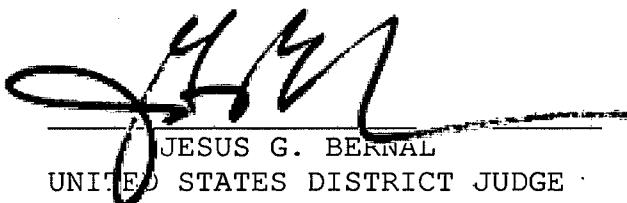
17 Pursuant to 28 U.S.C. section 636, the Court has reviewed the  
18 Complaint, all of the records herein, and the Report and  
19 Recommendation of a United States Magistrate Judge, to which no  
20 objections were filed. However, the Court construes Plaintiff's  
21 Ex Parte Applications for Temporary Restraining Order (Dkt. Nos.  
22 82, 91, 96, 102), Motions for Review and Reconsideration re Ex  
23 Parte Applications for Temporary Restraining Order (Dkt. Nos. 88,  
24 92, 98) and accompanying declarations and attachments (Dkt. Nos.  
25 83-85, 89-90, 93-95, 99-101) as objections to the R&R. After  
26 having made a de novo determination of the portions of the Report  
27 and Recommendation to which Objections were directed, the Court  
28 concurs with and accepts the findings and conclusions of the

1 **Magistrate Judge.** In sum, Plaintiff's Objections do not cause the  
2 Court to reconsider its decision to accept the Magistrate Judge's  
3 conclusions and recommendations. Accordingly, the Court concurs  
4 with and accepts the findings and conclusions of the Magistrate  
5 Judge in the Report and Recommendation.

6 **IT IS ORDERED** that (1) Plaintiff's Ex Parte Applications for  
7 entry of default against the State of California as well as his  
8 Applications for a Temporary Restraining Order (Dkt. Nos. 70, 72,  
9 75, 82, 91, 96 and 102) are DENIED; (2) Plaintiff's motions for  
10 review and reconsideration (Dkt. Nos. 88, 92 and 98) are DENIED;  
11 (3) Defendant Starbucks's Request for Judicial Notice (Dkt. No.  
12 16) is GRANTED; (4) the Motions to Dismiss filed by Defendant  
13 Starbucks and Defendant Commissioner Rubin (Dkt. Nos. 15 and 26)  
14 are GRANTED; (5) Plaintiff's federal claims (Claims One through  
15 Three) are DISMISSED WITH PREJUDICE; and (6) Plaintiff's state law  
16 claims (Claims Four and Five) are DISMISSED WITHOUT PREJUDICE.  
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20 **IT IS FURTHER ORDERED** that the Clerk serve copies of this  
21 Order and the Magistrate Judge's Report and Recommendation on  
22 Plaintiff and counsel for Defendants.  
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DATED: December 26, 2024

  
25 JESUS G. BERNAL  
26 UNITED STATES DISTRICT JUDGE  
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