UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA – WESTERN DIVISION

DERRICK L. JOHNSON,

Plaintiff,

v.

CALIFORNIA, et, al.,

Defendants.

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

ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMNEDATIONS OF UNITED STATES MAGISTRATE JUDGE

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

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

IT IS ORDERED that (1) Plaintiff's Ex Parte Applications for entry of default against the State of California as well as his Applications for a Temporary Restraining Order (Dkt. Nos. 70, 72, 75, 82, 91, 96 and 102) are DENIED; (2) Plaintiff's motions for review and reconsideration (Dkt. Nos. 88, 92 and 98) are DENIED; (3) Defendant Starbucks's Request for Judicial Notice (Dkt. No. 16) is GRANTED; (4) the Motions to Dismiss filed by Defendant Starbucks and Defendant Commissioner Rubin (Dkt. Nos. 15 and 26) are GRANTED; (5) Plaintiff's federal claims (Claims One through Three) are DISMISSED WITH PREJUDICE; and (6) Plaintiff's state law claims (Claims Four and Five) are DISMISSED WITHOUT PREJUDICE.

IT IS FURTHER ORDERED that the Clerk serve copies of this Order and the Magistrate Judge's Report and Recommendation on Plaintiff and counsel for Defendants.

DATED: December 26, 2024

JESUS G. BERNAL
UNITED STATES DISTRICT JUDGE