UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

SYDNEY BROOKE ROBERTS, et al., Plaintiffs, v. SACRAMENTO HOUSING AND REDEVELOPMENT AGENY, et al., Defendants.	No. 2:22-cv-1699 DJC AC PS ORDER

Plaintiffs are proceeding in this action in pro per. The matter was referred to a United States Magistrate Judge pursuant to Local Rule 302(c)(21).

On May 31, 2023, the Magistrate Judge filed findings and recommendations herein which were served on all parties, and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty-one days. (ECF No. 36.) No party filed objections.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds the findings and recommendations to be supported by the record and by proper analysis.

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Accordingly, IT IS HEREBY ORDERED that the findings and recommendations filed May 31, 2023, are adopted in full and Defendants' Motion to Dismiss, ECF No. 21, is GRANTED IN PART and DENIED IN PART as follows:

1. GRANTED as to defendants Darrell Steinberg, Angelique Ashby, Sean Lololee, Jeff Harris, Katie Valenzuela, Jay Schenirer, Eric Guerra, Rick Jennings, Mai Vang, Phil Serna, Rich Desmond, Sue Frost, and Don Nottoli, all of whom are DISMISSED WITH PREJUDICE;

2. GRANTED without leave to amend as to the claim for family composition discrimination (Claim Six), which is DISMISSED WITH PREJUDICE;

3. DENIED as to the remaining individual defendants, all claims against whom should be CONSTRUED as individual capacity claims only;

4. DENIED as to claims for disability discrimination in housing under the Americans with Disabilities Act, the Rehabilitation Act, and the Fair Housing Act (Claims One and Five);

5. DENIED as to the ineffective communication claim under the Americans with Disabilities Act (Claim Two);

6. DENIED as to the Fourteenth Amendment due process violation claim (Claim Three); and

7. DENIED as to the accessibility of services claims (Claim Four).

In addition, Plaintiffs will be granted leave to amend to include additional facts as outlined by the magistrate judge in the findings and recommendations within 30 days of the entry of this order. (*See* ECF No. 36.)

IT IS SO ORDERED.

Dated: **November 17, 2023**

Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE