UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

CHELSIE M. SANTILLAN, Plaintiff, v. CALIFORNIA BAR EXAMINERS, et al., Defendants.	Case No. 2:24-cv-00571-DJC-JDP (PS) ORDER

On August 15, 2024, the Magistrate Judge filed findings and recommendations herein which were served on the parties, and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. Plaintiff filed objections on August 23, 2024, and Defendant filed objections on August 29, 2024. Both objections were considered by the undersigned.

The Court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The Magistrate Judge's conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court . . . ."). Having reviewed the file, the Court finds the findings and recommendations to be supported by the record and by the proper analysis.

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Accordingly, IT IS HEREBY ORDERED that:

1. The proposed Findings and Recommendations filed August 15, 2024, are adopted in full;

2. Defendant Committee of Bar Examiners' motion to dismiss, ECF No. 28, is granted;

3. Plaintiff's claims under 42 U.S.C. § 1983 and state law claims are dismissed without leave to amend;

4. Plaintiff's claim for violation of Title II of the ADA are dismissed with leave to amend;

5. Plaintiff is granted thirty days from this order to file an amended complaint;

6. Plaintiff's motions for injunctive relief, ECF Nos. 4, 23, & 24, are denied;

7. Plaintiff's motions for damages, ECF No. 40, and for an ex parte hearing, ECF No. 41, are denied; and

8. This matter is referred back to the assigned Magistrate Judge for further pretrial matters.

IT IS SO ORDERED.

Dated: **September 13, 2024**

Hon. Daniel J. Calabretta
UNITED STATES DISTRICT JUDGE