

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LORENZO MAYS, et al.,
Plaintiffs,
v.
COUNTY OF SACRAMENTO,
Defendant.

No. 2:18-cv-02081-TLN-KJN

ORDER

Plaintiffs, state prisoners proceeding with retained counsel, filed this civil rights action seeking relief under 42 U.S.C. § 1983. Plaintiffs and Defendants brought a joint motion for class certification. (ECF No. 28.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 30, 2018, 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 ten days. (ECF No. 46.) Neither party has filed objections to the findings and recommendations.

The Court has reviewed the file and finds the findings and recommendations to be supported by the record and by the magistrate judge's analysis. Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed November 30, 2018, are adopted in full;

2. The numerosity, commonality, typicality, and adequacy requirements of Rule 23(a) are satisfied.

3. The requirements under both Rule 23(b)(1) and Rule 23(b)(2) are satisfied.

4. This action is certified as a class action as to all claims and defenses at issue in the Complaint pursuant to Rules 23(a), 23(b)(1), and 23(b)(2) of the Federal Rules of Civil Procedure.

5. The following classes are certified:

Plaintiff Class: All people who are now, or in the future will be, incarcerated in the Sacramento County jails.

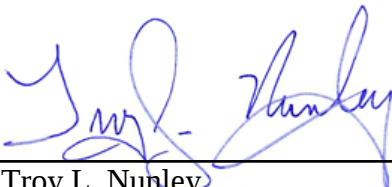
Plaintiff Subclass (the “Disability Class”): All qualified individuals with disabilities, as that term is defined in 42 U.S.C. § 12102, 29 U.S.C. § 705(9)(B), and California Government Code § 12926(j) and (m), who are, or will be in the future, incarcerated in the Sacramento County jails.

6. Plaintiffs MAYS, RICHARDSON, BOTHUN, LEE, BEIRGE, and GARLAND are certified to serve as representatives of the Plaintiff Class and Disability Subclass.

7. Disability Rights California, the Prison Law Office, and Cooley LLP are appointed as class counsel to represent the interests of the Plaintiff Class and Disability Subclass. Fed. R. Civ. P. 23(c)(1)(B).

8. A proposed notice to the Plaintiff Class and Disabilities Subclass, and the proposed method of distribution of such notice, was appended to the parties’ joint status report and is under review by the assigned magistrate judge.

Dated: December 27, 2018



Troy L. Nunley
United States District Judge