

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

Raquel Balderas, et al.,

CASE NO: 1:26-CV-06898-HBK

vs.

SUMMONS IN A CIVIL CASE

County of Kern, et al.,

TO: *(Defendant's Name and Address)*

County of Kern, Kern Medical, Donny Youngblood

BY ORDER OF THE BD/SUPV

Referred To County Counsel
60 pgs

Copies Furnished Risk Management
Delivered - Server

Date 9-8-26

Clerk of the Board of Supervisors
By [Signature], Deputy

YOU ARE HEREBY SUMMONED.

A lawsuit has been filed against you. Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff at the address below an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure and file the answer or motion with the Clerk of Court.

**Bryan James Harrison
Harrison Kristopher LLP
301 E. Colorado Blvd. Suite 323
Pasadena, CA 91101**

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint.

KEITH HOLLAND

CLERK

/s/ L. Bardon

(By) DEPUTY CLERK



**ISSUED ON 2026-08-28 15:05:18
CLERK, USDC EDCA**

RETURN OF SERVICE**Case No: 1:26-CV-06898-HBK**

NAME OF DEFENDANT SERVED	DATE OF SERVICE
NAME OF SERVER (<i>PRINT</i>)	TITLE

I served the Summons, Complaint, Mandatory Scheduling Order, Notice of Assignment to a United States Magistrate Judge and Declination of Consent form, and VDRP form.

Check one box below to indicate appropriate method of service:

- ☐ Served personally upon the defendant. Place where served: _____
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
- Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☐ Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

Signature of Server

Address of Server

NOTICE OF AVAILABILITY
VOLUNTARY DISPUTE RESOLUTION

Pursuant to the findings and directives of Congress in 28 U.S.C. §§ 651 *et seq.*, and in recognition of the economic burdens and delay in the resolution of disputes that can be imposed by full formal litigation, Local Rule 271 governs the referral of certain actions to the Voluntary Dispute Resolution Program ("VDRP") at the election of parties. Plaintiff or removing party is to provide all other parties with copies of the notice at the time service is effected or, for parties already served, no more than fourteen (14) days after receiving notice from the Court. After filing of the original complaint or removal action, any party who causes a new party to be joined in the action shall promptly serve a copy of the notice on the new party.

It is the Court's intention that the VDRP shall allow the participants to take advantage of a wide variety of alternative dispute resolution methods. These methods may include, but are not limited to, mediation, negotiation, early neutral evaluation and settlement facilitation. The specific method or methods employed will be determined by the Neutral and the parties.

PLEASE TAKE NOTICE that pursuant to Local Rule 271, *this Local Rule applies to* all civil actions pending before any District Judge or Magistrate Judge in the District except that actions in the following categories are exempt from presumptive inclusion: (i) prisoner petitions and actions, including habeas corpus petitions, (ii) actions in which one of the parties is appearing *pro se*, (iii) voting rights actions, (iv) social security actions, (v) deportation actions, (vi) Freedom of Information Act actions, and (vii) actions involving the constitutionality of federal, state or local statutes or ordinances. The fact that a case falls in a category that is exempt from the presumptive applicability of this Local Rule neither (1) precludes the parties to such a case from agreeing to participate in an Alternative Dispute Resolution ("ADR") process, nor (2) deprives the Court of authority to compel participation in an appropriate ADR proceeding.

Parties may elect Voluntary Dispute Resolution with the Court indicating that all parties to the action agree to submit the action to VDRP pursuant to Local Rule 271. Actions may not be assigned to VDRP over the objection of a party. (Copy of sample stipulation attached hereto.) **At the time of filing, a copy of the stipulation shall be provided to the VDRP Administrator designated below:**

Sacramento Cases
Voluntary Dispute Resolution
Program Administrator
United States District Court
501 "I" Street, Suite 4-200
Sacramento, CA 95814
(916) 930-4278

Fresno Cases
Voluntary Dispute Resolution
Program Administrator
United States District Court
2500 Tulare Street, Suite 1501
Fresno, CA 93721
(559) 499-5600

Phone: Fax:

Continued from Proof of Service

CLIENT:

CLIENT FILE #:

DATE:

SUBJECT:

summons; complaint; Notice of Availability, Voluntary Dispute Resolution; Stipulation to Elect Referral of Action to Voluntary Dispute Resolution Program; Notice of Assignment to Magistrate Judge, Declination/Consent; Order Setting Mandatory Scheduling Conference; Civil Cover Sheet; Plaintiff's Disclosure Statement; Standard Procedures for U.S. Magistrate Judge Barch-Kuchta; Joint Scheduling Report



GEMINI
L E G A L

Gemini Legal | 450 Lincoln Avenue, Suite 103 | Salinas, CA 93901 | (831) 384-4030

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

RAQUEL BALDERAS , ET AL.,

NO: 1:26-CV-06898-HBK

Plaintiff(s)

v.

**STIPULATION TO ELECT REFERRAL
OF ACTION TO VOLUNTARY DISPUTE
RESOLUTION PROGRAM (VDRP)
PURSUANT TO LOCAL RULE 271**

COUNTY OF KERN , ET AL.,

Defendant(s)

Pursuant to Local Rule 271, the parties hereby agree to submit the above-entitled action to
the Voluntary Dispute Resolution Program.

DATED: AUGUST 28, 2026

Name:
Attorney for Plaintiff(s)

Name:
Attorney for Defendant(s)

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**
(For Cases Initially Assigned to a Magistrate Judge)

RAQUEL BALDERAS, ET AL.,

Plaintiff,

vs.

COUNTY OF KERN, ET AL.,

Defendant.

Case No. 1:26-CV-06898-HBK

**NOTICE OF ASSIGNMENT TO A
UNITED STATES MAGISTRATE
JUDGE AND DECLINATION OF
CONSENT FORM**

In accordance with Eastern District of California Local Rule, Appendix A, you are notified that the above-entitled action has been assigned to a United States Magistrate Judge to conduct all proceedings in this case, including trial and entry of final judgment. You have the right to have a United States District Judge hear your case. Exercise of jurisdiction by a United States Magistrate Judge is permitted only if all parties consent to Magistrate Judge jurisdiction. Consenting to Magistrate Judge jurisdiction means that you waive the right to have a United States District Judge hear your case, and that a United States Magistrate Judge will take the place of a United States District Judge in all respects. No United States District Judge will supervise or review the work of the Magistrate Judge. An appeal from a judgment entered by a United States Magistrate Judge will be directly assigned to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of this District Court. 28 U.S.C. § 636(c); Fed. R. Civ. P. 73.

Consent to a Magistrate Judge is voluntary. You will be deemed to have knowingly and voluntarily consented to proceed before the assigned Magistrate Judge **UNLESS** you file a Declination of Consent form with the Court, a copy of which is part of this notice. No Judge will be informed of a party's response to this notification, and all filed Declination of Consent forms will not be viewable by the Judges. **Any party declining to proceed before a United States Magistrate Judge must sign the declination of consent form and file it with the Court within 30 days of receipt/service of this notice.** If a Declination of Consent form is timely filed, then a District Judge will be assigned to the case. If no party timely files a Declination of Consent form with the Court, a United States Magistrate Judge will conduct all proceedings in this case, including trial and entry of final judgment.

**DECLINATION OF CONSENT TO THE EXERCISE OF JURISDICTION BY A
UNITED STATES MAGISTRATE JUDGE**

Declination: In accordance with provisions of 28 U.S.C. § 636(c), Fed. R. Civ. P. 73, and Eastern District of California Local Rule, Appendix A, the undersigned party to this case declines consent to have a United States Magistrate Judge conduct all proceedings in this case.

Name of Party*

Signature of Party or Attorney

Date

Select one: ☐ Plaintiff/Petitioner ☐ Defendant/Respondent

*If representing more than one party, counsel must indicate the name of each party responding.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

RAQUEL BALDERAS, ET AL.,

Plaintiff,

v.

COUNTY OF KERN, ET AL.,

Defendant.

Case No. 1:26-CV-06898-HBK

ORDER SETTING MANDATORY
SCHEDULING CONFERENCE

DATE: December 3, 2026

TIME: 10:00 AM

HELENA M. BARCH-KUCHTA
U.S. MAGISTRATE JUDGE

Rule 16(b) of the Federal Rules of Civil Procedure requires the Court to enter a Case Management and Scheduling Order "as soon as practicable." Therefore, it is ORDERED all parties shall appear at a telephonic Scheduling Conference (dial-in number: 1-888-204-5984; passcode: 4446176) before United States Magistrate Judge Helena M. Barch-Kuchta at the above time and date. Counsel shall appear for represented parties. An unrepresented party must appear personally.

The Court is unable to conduct the Scheduling Conference until the defendants have been served with the summons and complaint. Accordingly, plaintiff(s) shall diligently pursue service of summons and complaint and dismiss those defendant(s) against whom plaintiff(s) will not pursue claims. Plaintiff(s) shall complete service of summons and complaint consistent with Fed. R. Civ. P. 4 and promptly file proofs of service so the Court has a record of service. Failure to serve the summons and complaint timely may result in the imposition of sanctions, including the dismissal of unserved defendant(s).

of the defendant(s) are due. Accordingly, it is HEREBY ORDERED plaintiff(s) shall serve a copy of this Order on the defendant(s), or, if identified, on their counsel, **promptly** upon receipt of this Order, and to file an appropriate proof of such service with the Court, in compliance with Rule 135(a) of the Local Rules of Practice for the Eastern District of California.

Rule 26(f) Conference & Rule 26(f)(3) Discovery Plan

At least twenty-one (21) days prior to the Scheduling Conference, counsel for all parties shall conduct and conclude a conference at a time and place arranged by counsel for the plaintiff(s). This conference should preferably be a personal conference between all counsel but, due to the distances involved in this District, a telephonic or video conference call involving all counsel is permissible. Because the parties must employ the federal and local rules to secure the just, speedy, and inexpensive disposition of this action (*see* Fed. R. Civ. P. 1; 16(c)(2)(P), the parties must thoughtfully consider the proportional needs of this case given the claims, defenses, and other considerations in Rule 26(b)(1), and meaningfully discuss all issues identified in Rules 16(b)(3), 16(c)(2), 26(f)(2) and 26(f)(3)).

Discovery Relating to Electronic, Digital and/or Magnetic Data. Prior to a Fed. R. Civ. P. 26(f) conference, counsel should carefully investigate their client's information management system so that they are knowledgeable as to its operation, including how information is stored and how it can be retrieved. Likewise, counsel shall reasonably review the client's computer files to ascertain the contents thereof; including archival and legacy data (outdated formats or media), and disclose in initial discovery (self-executing routine discovery) the computer-based evidence which may be used to support claims or defenses.

(1) Duty to Notify. A party seeking discovery of computer-based information shall notify the opposing party immediately, but no later than the Fed. R. Civ. P. 26(f) conference, of that fact and identify as clearly as possible the categories of information which may be sought.

(2) Duty to Meet and Confer. The parties shall meet and confer regarding the following matters during the Fed. R. Civ. P. 26(f) conference:

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the parties will take to segregate and preserve computer-based information in order to avoid accusations of spoliation;

b. E-mail information. Counsel shall attempt to agree as to the scope of e-mail discovery and attempt to agree upon an e-mail search protocol. This should include an agreement regarding inadvertent production of privileged e-mail messages;

c. Deleted information. Counsel shall confer and attempt to agree whether or not restoration of deleted information may be necessary, the extent to which restoration of deleted information is needed, and who will bear the costs of restoration; and

d. Back-up data. Counsel shall attempt to agree whether or not back-up data may be necessary, the extent to which back-up data is needed and who will bear the cost of obtaining back-up data. The Joint Scheduling Report shall summarize the parties conference relating to discovery of electronic data.

Preparation of Joint Scheduling Report.¹ No later than two (2) full weeks prior to the Scheduling Conference the parties² shall file and e-mail the Joint Scheduling Report, in Word format, to: hbkorders@caed.uscourts.gov. The Joint Scheduling Report shall indicate the date and time of the Scheduling Conference opposite the caption on the first page of the Report. The Joint Scheduling Report shall include:

(1) A brief summary of the factual contentions (*e.g.*, uncontested and contested facts), and legal contentions (*e.g.*, disputed and undisputed positions, jurisdiction, and venue), set forth in the pleadings of each party, including the relief sought by any party presently before the Court.

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¹A template in word of the Joint Scheduling Report is available on Judge Helena M. Barch-Kuchta's Chamber's Page under "Standard Forms."

²If a party refuses to participate in preparing the Joint Scheduling Report, the non-offending party shall detail the party's effort to get the offending party to participate. The non-offending party shall still file the report two (2) full weeks prior to the Scheduling Conference and list the non-offending party's proposed dates. Absent good cause presented by the offending party prior to the Scheduling Conference, the dates proposed by the non-offending party will be presumed to be the dates jointly offered by the parties. The offending party may be subject to sanctions, including monetary sanctions, to compensate the non-offending party's time and effort incurred in seeking compliance in drafting the Joint Scheduling Report.

components, and including agreed dates or specifying where there is a disagreement:

- a. Date for the exchange of Fed. R. Civ. P. 26(a)(1) initial disclosures or the date disclosures were completed;
- b. Proposed deadline for amendments to pleadings, and if an amendment is anticipated, a general description of the proposed amendment, *e.g.*, additional parties, adding/removing claims;
- c. Firm cut-off date for non-expert discovery;³
- d. Firm date for disclosure of expert witnesses as required by Fed. R. Civ. P. 26(a)(2), and a date for any supplemental expert disclosures;
- e. Firm cut-off date for expert witness discovery;
- f. Any proposed changes in the limits on discovery imposed by Fed. R. Civ. P. 26(b); 30(a)(2)(A), (B); 30(d); or 33(a);
- g. Whether the parties anticipate the need for a protective order relating to the discovery of information relating to HIPPA, a trade secret, or other confidential information, research, development, or commercial information;
- h. Any issues or proposals relating to the timing, sequencing, phasing, or scheduling of discovery;
- i. Whether the parties anticipate the need to take discovery outside the United States and, if so, a description of the proposed discovery;
- j. Whether any party anticipates video and/or sound recording of depositions;
- k. Date for filing non-dispositive and dispositive pre-trial motions, with the understanding that motions (except motions *in limine* or other trial motions) will not be entertained after the agreed upon date;
- l. Pre-trial conference date; and
- m. Trial date.

³ The Court follows the rule that the completion date means that all discovery must be finished by the deadline set in the Rule 16 Case Management and Scheduling Order. Motions to compel filed after the discovery deadline are presumptively untimely and may be denied on that basis alone.

Report and engaging in extensive discovery. Even if settlement negotiations are progressing, the parties must comply with the requirements of this Order unless otherwise excused by the Court because the entire case has settled.⁴ This Court's local rules require a settlement conference to be held in all actions unless otherwise ordered by the Court. The parties shall state in the Joint Scheduling Report whether they desire to participate in private mediation, the Court's VDRP, or a settlement conference before a Magistrate Judge, and state whether such settlement option will occur before engaging in discovery, after discovery, or after pre-trial motions, etc. E.D. Cal. L.R. 270, 271.

(4) The parties shall indicate whether the case is to proceed to a jury or bench trial and provide an estimate of the number of trial days required. If the parties disagree as to whether a jury trial has been timely demanded or whether one is available on some or all of the claims, the statement shall include a summary of each party's position.

(5) An estimate of the number of trial days required. If the parties cannot agree to the number of days, each party shall give their best estimate. In estimating the number of trial days, the parties should keep in mind that this Court is normally able to devote the entire day to trial.

(6) The case opening documents in this action include important information and a form regarding consent/decline to magistrate judge jurisdiction, or in the case of actions assigned pursuant to Appendix A of the Local Rules, a form to opt-out of magistrate judge jurisdiction. Unless this action is assigned pursuant to Appendix A of the Local Rules, the parties are required to consider whether they will consent to the jurisdiction of a Magistrate Judge pursuant to 28 U.S.C section 636(c). **Except in the event this case is assigned pursuant to Appendix A of the Local Rules, the parties must file completed consent/decline forms no later than the date for filing the Joint Scheduling Report (i.e., two weeks in advance of the Scheduling Conference).** All discovery and non-dispositive motions are routinely heard by the Magistrate Judge whether the parties consent.

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⁴If the entire case is settled prior to the Scheduling Conference, the parties must immediately notify the Court. See E.D. Cal. L.R. 160. The Court will vacate the Scheduling Conference.

counsel for the removing party shall serve the Complaint, Notice of Removal, Summons, Notice of Assignment to a United States Magistrate Judge and Declination of Consent Form, and a copy of this order upon all opposing parties and all parties who have made an appearance in the originating jurisdiction, and shall file by that same deadline a proof of service of the civil case opening documents noted above.

(8) Transfer Cases. Upon transfer, counsel for plaintiff shall serve the Complaint, Notice of Removal (if applicable), Summons, Notice of Assignment to a United States Magistrate Judge and Declination of Consent Form, and all other new case documents upon all parties who have not yet made an appearance in the originating jurisdiction. If Plaintiff wishes to have a summons issued for any unserved defendant(s) in this action, Plaintiff must contact the Clerk's Office for issuance.

(9) The parties shall state whether either party requests bifurcation, or phasing of trial, or has any other suggestion for shortening or expediting discovery, pre-trial motions, or trial.

(10) The parties shall state whether this matter is related to any matter pending in this Court or any other court, including bankruptcy court. E.D. Cal. L.R. 123.

(11) Unless a party justifies an express objection in the Joint Scheduling Report to service of discovery by e-mail, the Court considers all parties to have expressly consented to service of discovery by e-mail and shall specifically identify the e-mail addresses or electronic service accounts to be used. Fed. R. Civ. P. 5(b)(2)(E).

Timing of the Mandatory Scheduling Conference

The Scheduling Conference is set at the time the Clerk issues summons in this action. The Court is mindful that in some situations the case is not procedurally in the posture for the date and time set for the Scheduling Conference. Such situations include, but are not limited to, those in which all defendant(s) have not yet been served or have not filed an answer to the complaint, the defendant has defaulted, or where there is a pending motion to dismiss and/or motion to remand (in removal actions). If such circumstances exist, the parties should inform the Court prior to the Joint Scheduling Report filing deadline if they wish to continue the Scheduling Conference.

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Alternatively, the Court will consider advancing the Scheduling Conference if the parties request an earlier date for the Scheduling Conference and have already filed their Joint Report.

Important Chambers' Information

The parties are directed to the Court's website at www.caed.uscourts.gov for specific information regarding court procedures. Specific information for Magistrate Judge Helena M. Barch-Kuchta can be found by selecting "U.S. Magistrate Judge Helena M. Barch-Kuchta" from the "Judge" and "all Judges" tab and then selecting "Civil Procedures" under the "Case Management Procedures" heading. A template in word of the Joint Scheduling Report is available on Judge Helena M. Barch-Kuchta's Chamber's Page under "Standard Forms."

Should counsel or a party appearing pro se fail to appear at the Mandatory Scheduling Conference or otherwise fail to comply with the directions as set forth above, an ex parte hearing may be held and contempt sanctions, including monetary sanctions, dismissal, default judgment, or other appropriate sanctions, may be ordered.

DATED: August 28, 2026


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

RAQUEL BALDERAS, ANGELA SALAS, ANDRES BALDERAS, VINCENT BALDERAS, and RAYMOND BALDERAS, JR., individually and as Successors-in-Interest to RAYMOND VASQUEZ BALDERAS, Deceased,

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Bryan Harrison (SBN 277312); (866) 529-6155
Harrison Kristopher, LLP
301 E Colorado Blvd Ste 323
Pasadena CA 91101-1976
Phone: (866) 529-6155

Hossein Khatami (SBN 278350)
Hoss Law, APC
4190 Douglas Blvd Ste 400
Granite Bay CA 95746-5918
Phone: (916) 788-4445

DEFENDANTS

COUNTY OF KERN; KERN MEDICAL; DONNY YOUNGBLOOD, individually and in his official capacity as Sheriff of Kern County; and DOES 1 through 50, inclusive,

County of Residence of First Listed Defendant Kern

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- ☐ 1 U.S. Government Plaintiff
☒ 3 Federal Question (U.S. Government Not a Party)
☐ 2 U.S. Government Defendant
☐ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- | | PTF | DEF | | PTF | DEF |
|---|----------------------------|----------------------------|---|----------------------------|----------------------------|
| Citizen of This State | ☐ 1 | ☐ 1 | Incorporated or Principal Place of Business In This State | ☐ 4 | ☐ 4 |
| Citizen of Another State | ☐ 2 | ☐ 2 | Incorporated and Principal Place of Business In Another State | ☐ 5 | ☐ 5 |
| Citizen or Subject of a Foreign Country | ☐ 3 | ☐ 3 | Foreign Nation | ☐ 6 | ☐ 6 |

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: [Nature of Suit Code Descriptions.](#)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice PERSONAL INJURY ☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit (15 USC 1681 or 1692) ☐ 485 Telephone Consumer Protection Act ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☒ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education PRISONER PETITIONS Habeas Corpus: ☐ 463 Alien Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

- ☒ 1 Original Proceeding
☐ 2 Removed from State Court
☐ 3 Remanded from Appellate Court
☐ 4 Reinstated or Reopened
☐ 5 Transferred from Another District (specify)
☐ 6 Multidistrict Litigation - Transfer
☐ 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):
42 USC § 1983; Fourteenth Amendment to the United States Constitution; *Monell* Municipal Liability

Brief description of cause:

Failure to Protect; Deliberate Indifference to Serious Medical Needs; *Monell* Municipal Liability; Supervisory Liability

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.

DEMAND \$
\$30,000,000

CHECK YES only if demanded in complaint:

JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

August 28, 2026

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

1 BRYAN J. HARRISON, ESQ. (SBN 277312)

Bryan@h-klaw.com

2 EDI P. KRISTOPHER, ESQ. (SBN 284833)

Edi@h-klaw.com

3 **HARRISON | KRISTOPHER, LLP**

301 E Colorado Blvd Ste 323

4 Pasadena CA 91101

Phone: (866) 529-6155; FAX: (866) 565-6206

5 HOSSEIN KHATAMI, ESQ. (SBN 278350)

Hoss@hossllaw.com

6 **HOSS LAW, APC**

4190 Douglas Blvd Ste 400

Granite Bay CA 95746-5918

8 Phone: (916) 788-4445; FAX: (916) 788-4447

9 Attorneys for Plaintiffs, RAQUEL BALDERAS,

ANGELA SALAS, ANDRES BALDERAS,

10 VINCENT BALDERAS, and RAYMOND

BALDERAS, JR., individually and as

11 Successors-in-Interest to RAYMOND VASQUEZ

BALDERAS, Deceased

12
13 **UNITED STATES DISTRICT COURT**
14 **EASTERN DISTRICT OF CALIFORNIA**
15 **FRESNO DIVISION**

16 RAQUEL BALDERAS, ANGELA SALAS,
17 ANDRES BALDERAS, VINCENT
BALDERAS, and RAYMOND BALDERAS,
18 JR., individually and as Successors-in-Interest
to RAYMOND VASQUEZ BALDERAS,
Deceased,

19 Plaintiffs,

20 v.

21 COUNTY OF KERN; KERN MEDICAL;
22 DONNY YOUNGBLOOD, individually and
in his official capacity as Sheriff of Kern
23 County; and DOES 1 through 50, inclusive,

24 Defendants.

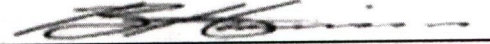
Case No.:

**PLAINTIFFS' DISCLOSURE
STATEMENT AND
CERTIFICATION OF INTERESTED
ENTITIES OR PERSONS,
PURSUANT TO FEDERAL RULES
OF CIVIL PROCEDURE, RULE 7.1**

1 Pursuant to Federal Rules of Civil Procedure, rule 7.1, counsel for Plaintiffs certifies
2 that as of this date, other than the named parties, there is no such interest to report.

3 Respectfully submitted this 28th day of August, 2026, by

4
5 **HARRISON | KRISTOPHER, LLP**

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7 
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10 ANGELA SALAS, ANDRÉS BALDERAS,
11 VINCENT BALDERAS, and RAYMOND
12 BALDERAS, JR., individually and as Successors-
13 in-Interest to RAYMOND VASQUEZ
14 BALDERAS, Deceased
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11 Successors-in-Interest to RAYMOND VASQUEZ

BALDERAS, Deceased

12
13 **UNITED STATES DISTRICT COURT**
14 **EASTERN DISTRICT OF CALIFORNIA**
15 **FRESNO DIVISION**

16 RAQUEL BALDERAS, ANGELA SALAS,
17 ANDRES BALDERAS, VINCENT
BALDERAS, and RAYMOND BALDERAS,
18 JR., individually and as Successors-in-Interest
to RAYMOND VASQUEZ BALDERAS,
Deceased,

19 Plaintiffs,

20 v.

21 COUNTY OF KERN; KERN MEDICAL;
22 DONNY YOUNGBLOOD, individually and
in his official capacity as Sheriff of Kern
23 County; and DOES 1 through 50, inclusive,

24 Defendants.

Case No.:

**COMPLAINT FOR DAMAGES AND
DECLARATORY RELIEF:**

- 1) 42 U.S.C. § 1983 (Fourteenth Amendment - Failure to Protect)
- 2) 42 U.S.C. § 1983 (Fourteenth Amendment - Medical Care)
- 3) 42 U.S.C. § 1983 (*Monell* Municipal Liability)
- 4) California Gov. Code, § 845.6
- 5) Medical Negligence
- 6) Negligence (Gov. Code, §§ 815.2, 820)
- 7) Wrongful Death (Code Civ. Proc., § 377.60)
- 8) Survival Action (Code Civ. Proc., § 377.30)
- 9) Tom Bane Civil Rights Act (Civ. Code, § 52.1)
- 10) 42 U.S.C. § 1983 (Supervisory Liability)

DEMAND FOR TRIAL BY JURY

1 COME NOW Plaintiffs Raquel Balderas, Angela Salas, Andres Balderas, Vincent
2 Balderas, and Raymond Balderas, Jr., individually and as Successors-in-Interest to Raymond
3 Vasquez Balderas, Deceased, by and through their attorneys of record,
4 Harrison | Kristopher, LLP, and hereby complain and allege as follows:

5 **INTRODUCTION**

6 1. This civil rights action arises from the preventable death of Raymond Vasquez
7 Balderas, a 60-year-old pre-trial detainee who died from acute fentanyl and buprenorphine
8 toxicity while in the custody of the Kern County Sheriff's Office at the Lerdo Pre-Trial
9 Facility in Bakersfield. Mr. Balderas was a known daily fentanyl user who disclosed his drug
10 use during intake and was placed on medication-assisted treatment for opioid dependency.
11 Despite the jail's actual knowledge of his heightened vulnerability, fentanyl was allowed to
12 circulate within the facility, and Mr. Balderas obtained and ingested it. When he overdosed,
13 jail staff failed to discover his condition for hours, and he died the following morning. The
14 Kern County Coroner ruled the manner of death accidental.

15 2. This case centers on a convergence of known risk factors and a failure to act:
16 Defendants knew Mr. Balderas was a daily fentanyl user on medication-assisted treatment.
17 Defendants knew fentanyl had killed an inmate at the same facility just thirteen months
18 earlier. And yet Defendants housed Mr. Balderas in general population without enhanced
19 monitoring, failed to conduct meaningful welfare checks, failed to discover his overdose for
20 hours even as his cellmate identified the emergency and contacted family, and failed to
21 provide the timely naloxone intervention that could have saved his life.

22 3. Mr. Balderas' death fits a documented pattern at the Lerdo Pre-Trial Facility.
23 On July 28, 2024, Courtney Easley, age 28, died from fentanyl intoxication at the same
24 facility. On August 15, 2025 – eleven days before Mr. Balderas died – a 61-year-old inmate
25 was found unresponsive during a routine check at Lerdo. On September 7, 2025, twelve days
26 after Mr. Balderas died, 34-year-old Frank Robert Miller died following a medical emergency
27 at Lerdo. Each of these deaths involved delayed discovery of medical distress or inadequate
28 monitoring of high-risk detainees.

1 10. Plaintiff Angela Salas is an individual and an adult daughter of Decedent
2 Raymond Vasquez Balderas. She is a resident of the State of California. Ms. Salas brings this
3 action individually and as a Successor-in-Interest to Decedent pursuant to California Code of
4 Civil Procedure section 377.30.

5 11. Plaintiff Andres Balderas is an individual and an adult son of Decedent
6 Raymond Vasquez Balderas. He is a resident of the State of California. Mr. Andres Balderas
7 brings this action individually and as a Successor-in-Interest to Decedent pursuant to
8 California Code of Civil Procedure section 377.30.

9 12. Plaintiff Vincent Balderas in an individual and an adult son of Decedent
10 Raymond Vasquez Balderas. He is a resident of the State of California. Mr. Vincent Balderas
11 brings this action individually and as a Successor-in-Interest to Defendant pursuant to
12 Californiqa Code of Civil Procedure section 377.30.

13 13. Plaintiff Raymond Balderas, Jr., is an individual and the adult son of Decedent
14 Raymond Vasquez Balderas. He is believed to be a resident of the State of California. Mr.
15 Raymond Balderas, Jr., brings this action individually and as a Successor-in-Interest to
16 Decedent pursuant to California Code of Civil Procedure section 377.30.

17 14. Decedent Raymond Vasquez Balderas was 60 years old at the time of his
18 death. He was survived by his five (5) adult children: Raquel Balderas, Angela Salas, Andres
19 Balderas, Vincent Balderas, and Raymond Balderas, Jr. Mr. Balderas was previously married
20 to Fedora Pelle Gutierrez. The couple married on February 28, 1986, and divorced on
21 August 28, 2000. At the time of his death, Mr. Balderas had no surviving spouse, registered
22 domestic partner, or putative spouse. Plaintiffs constitute all persons entitled to bring a
23 wrongful death action pursuant to California Code of Civil Procedure section 377.60. No
24 other heirs exist who hold a right to recovery under section 377.60.

25 ***Defendants***

26 15. Defendant County of Kern ("County") is a political subdivision of the State of
27 California. The County owns, operates, and maintains the Lerdo Pre-Trial Facility, located at
28 17801 Industrial Farm Road, in Bakersfield, California 93308, through the Kern County

1 Sheriff's Office. The County is responsible for the policies, practices, customs, and training
2 of its employees, including those who work at the Lerdo Pre-Trial Facility. In California
3 county jails, medical care is a county function, even when delivered through departments or
4 affiliated entities such as Kern Medical. The County is sued as a municipal entity pursuant to
5 *Monell v. Department of Social Services* (1978), 436 U.S. 658, and is liable for constitutional
6 violations resulting from its policies, practices, customs, and failures to train.

7 16. Defendant Kern Medical, also known as Kern Medical Center, is a county-
8 owned hospital authority that provides clinical medical services to inmates housed at Kern
9 County detention facilities, including the Lerdo Pre-Trial Facility. Kern Medical, through its
10 physicians, nurses, and other medical personnel, was responsible for the medical care and
11 monitoring of Mr. Balderas during his incarceration, including intake medical screening,
12 assessment of his opioid use disorder, prescription and management of his buprenorphine
13 treatment, and ongoing medical monitoring. Kern Medical is a proper defendant separate
14 from the County of Kern for claims arising from its provision of clinical services. Kern
15 Medical is sued for deliberate indifference to Mr. Balderas' serious medical needs under
16 section 1983 of title 42 of the United States Code and for medical negligence under
17 California law.

18 17. Defendant Donny Youngblood is sued in his individual and official capacities
19 as Sheriff of Kern County. Sheriff Youngblood is the chief law enforcement officer of Kern
20 County and is responsible for the operation, management, policies, and practices of the Kern
21 County Sheriff's Office and its detention facilities, including the Lerdo Pre-Trial Facility. As
22 Sheriff, Defendant Youngblood is the final policymaker for the County with respect to law
23 enforcement and operations of the County's detention facilities. Sheriff Youngblood has
24 served as Kern County Sheriff since 2006 and has been on notice of fentanyl infiltration and
25 overdose deaths at the Lerdo Pre-Trial Facility, including the death in July 2024 of Courtney
26 Easley. Despite this notice, Sheriff Youngblood failed to implement adequate monitoring
27 protocols for high-risk detainees or drug interdiction measures sufficient to prevent Mr.
28

1 Balderas' death. Sheriff Youngblood is sued in his official capacity for policy and practice
2 claims and in his individual capacity for supervisory liability.

3 18. The true names and capacities of Defendants sued herein as DOES 1 through
4 25, inclusive, are presently unknown to Plaintiffs. Plaintiffs are informed and believe, and
5 thereon allege, that DOES 1 through 25 are medical personnel responsible for the medical
6 care, monitoring, and treatment of Mr. Balderas, including but not limited to:

- 7 (a) Intake medical screening nurses and personnel who conducted or should
8 have conducted the initial medical assessment of Mr. Balderas upon
9 booking, including screening for substance use disorders and opioid
10 dependency;
- 11 (b) Registered nurses (RN's) and licensed vocational nurses (LVN's)
12 assigned to Mr. Balderas' housing unit or responsible for medication
13 administration, vital sign monitoring, and welfare assessments;
- 14 (c) Physicians and mid-level providers (physician assistants, nurse
15 practitioners) who prescribed buprenorphine, developed or should have
16 developed his treatment plan, and were responsible for ongoing medical
17 oversight of a patient on medication-assisted treatment;
- 18 (d) Medical supervisors responsible for ensuring adequate staffing,
19 protocols, and oversight of medical care at the Lerdo Pre-Trial Facility;
- 20 (e) Any other medical personnel who had contact with Mr. Balderas or
21 responsibility for his medical care during his incarceration.

22 These Medical Doe Defendants are critical to this action because fentanyl and
23 buprenorphine toxicity cases often turn on failures to identify opioid use at intake, failures to
24 implement appropriate monitoring protocols for medication-assisted treatment patients, and
25 failures to recognize and respond to overdose symptoms. Plaintiffs will seek early discovery
26 to identify these defendants.

27 19. The true names and capacities of Defendants sued herein as DOES 26
28 through 50, inclusive, are presently unknown to Plaintiffs. Plaintiffs are informed and

1 believe, and thereon allege, that DOES 26 through 50 are custody personnel responsible for
2 the supervision, monitoring, and welfare of Mr. Balderas, including but not limited to:

- 3 (a) Sheriff's deputies assigned to Mr. Balderas' housing unit who were
4 responsible for conducting welfare checks, observing inmates for signs
5 of medical distress, and summoning medical care when needed;
- 6 (b) Classification officers who determined Mr. Balderas' housing assignment
7 and risk classification, including any assessment of his medical needs and
8 vulnerability;
- 9 (c) Intake and booking officers who processed Mr. Balderas upon his arrest
10 and had the first opportunity to identify and document his substance use
11 history and medical needs;
- 12 (d) Supervisory custody staff, including sergeants, lieutenants, and watch
13 commanders, responsible for ensuring that welfare checks were
14 conducted properly and that deputies summoned medical care when
15 indicated;
- 16 (e) Any other custody personnel who had contact with Mr. Balderas,
17 responsibility for his supervision, or who observed or should have
18 observed signs of his medical distress on August 25, 2025.

19 These Custody Doe Defendants are critical because deputies are often the first to observe
20 symptoms of medical distress, are responsible for conducting welfare checks, and have an
21 independent duty to summon medical care when they know or have reason to know an
22 inmate needs immediate medical attention. The fact that Mr. Balderas' cellmate identified his
23 overdose and contacted family members before custody staff discovered him demonstrates
24 that the signs of distress were obvious to a layperson but missed by those charged with his
25 protection. Plaintiffs will seek early discovery to identify these defendants.

26 20. Plaintiffs are informed and believe, and thereon allege, that at all times
27 relevant hereto, each Defendant was the agent, servant, employee, partner, joint venturer, or
28 alter ego of each of the remaining Defendants, and in doing the acts alleged herein, was

1 acting within the course and scope of such agency, service, employment, partnership, joint
2 venture, or other relationship.

3 **FACTUAL ALLEGATIONS**

4 ***Raymond Balderas' Background and Medical History***

5 21. Raymond Vasquez Balderas was a 60-year-old man with a documented history
6 of daily fentanyl use. Mr. Balderas smoked fentanyl on a daily basis and had developed a high
7 tolerance for the drug over time. His addiction was known to his family.

8 22. Prior to his incarceration, Mr. Balderas had experienced a recent cardiac event,
9 believed to be a mild stroke, for which he was treated at a cardiac care facility earlier in 2025.
10 This pre-existing cardiac condition made him particularly vulnerable to the physiological
11 stress of opioid withdrawal and to the respiratory depression caused by opioid overdose.

12 23. Mr. Balderas was receiving disability benefits, for which his daughter Raquel
13 served as his designated payee. Despite his struggles with addiction, Mr. Balderas maintained
14 regular contact with his children.

15 ***Raymond Balderas' Incarceration and Known Risk Factors***

16 24. On or about August 6, 2025, Raymond Vasquez Balderas was arrested and
17 booked into the custody of the Kern County Sheriff's Office. He was assigned booking
18 number 2405846 and housed at the Lerdo Pre-Trial Facility as a pre-trial detainee.

19 25. Mr. Balderas was charged with possession of hard drugs with two prior
20 convictions, possession of controlled substance paraphernalia, riding a bicycle on the wrong
21 side of the roadway, and riding a bicycle during darkness without proper lighting or
22 reflectors.

23 26. Mr. Balderas disclosed his daily fentanyl use to jail medical staff during the
24 intake screening process. This disclosure is corroborated by the fact that jail medical staff
25 subsequently prescribed buprenorphine, an opioid partial agonist used to treat opioid use
26 disorder, which is prescribed only after a patient's opioid dependency has been documented
27 and assessed. This disclosure put Defendants on actual notice of Mr. Balderas' serious opioid
28

1 dependency, his high tolerance for opioids, and his significant risk for both withdrawal
2 complications and overdose if exposed to opioids.

3 27. Because of his known addiction and risk of withdrawal, jail medical staff
4 prescribed Mr. Balderas buprenorphine. Buprenorphine is a Schedule III controlled
5 substance that requires careful medical supervision and indicates significant opioid
6 dependency in the patient.

7 28. The prescription of buprenorphine is a clear indicator that jail staff had actual
8 knowledge of Mr. Balderas' serious opioid dependency, his heightened vulnerability to
9 opioid-related harm, and his need for close medical monitoring. Patients on buprenorphine
10 are at particular risk if they access other opioids, as the combination of buprenorphine with
11 full opioid agonists such as fentanyl can cause lethal respiratory depression.

12 29. Despite his documented high-risk status, his known pre-existing cardiac
13 condition, and the known dangers of opioid access for patients on medication-assisted
14 treatment, Mr. Balderas was housed in general population at the Lerdo Pre-Trial Facility
15 without enhanced monitoring, without placement in a specialized housing unit, without any
16 individualized safety plan, and without adequate safeguards to prevent his access to illicit
17 drugs.

18 ***Contact with Family During Incarceration***

19 30. During his approximately two weeks of incarceration prior to his death, Mr.
20 Balderas was in contact with his daughter, Raquel Balderas.

21 31. During these communications, Mr. Balderas did not complain of severe
22 withdrawal symptoms to Raquel. This fact, combined with his known history of daily
23 fentanyl use and high tolerance, supports the inference that Mr. Balderas may have had
24 access to opioids within the facility.

25 ***Fentanyl Infiltration at the Lerdo Pre-Trial Facility***

26 32. Fentanyl is a synthetic opioid approximately fifty (50) times more potent than
27 heroin and one hundred (100) times more potent than morphine. It is lethal in minute
28 quantities; as little as two milligrams can cause death in an adult.

1 33. The Lerdo Pre-Trial Facility is a controlled, custodial environment operated
2 by the Kern County Sheriff's Office with a maximum capacity of 1,232 inmates. As the
3 operator of this facility, the County is responsible for preventing the introduction and
4 circulation of contraband, including illegal drugs.

5 34. Despite this responsibility, fentanyl infiltrated the Lerdo Pre-Trial Facility and
6 caused preventable deaths. On July 28, 2024, just thirteen months before Mr. Balderas'
7 death, Courtney Easley, a 28-year-old woman, died from fentanyl intoxication at the Lerdo
8 Pre-Trial Facility. Ms. Easley's death put Defendants on direct notice that fentanyl was
9 accessible to inmates at Lerdo and that their drug interdiction measures were inadequate.

10 35. Despite this notice, Defendants failed to implement adequate reforms to
11 prevent fentanyl from entering the facility or to enhance monitoring of high-risk inmates
12 such as those receiving medication-assisted treatment.

13 ***The Overdose, Delayed Discovery, and Failure to Intervene***

14 36. On or about August 25, 2025, approximately two weeks after his arrest, Mr.
15 Balderas obtained and ingested fentanyl while housed at the Lerdo Pre-Trial Facility. The
16 fact that a pre-trial detainee was able to access fentanyl inside a county jail demonstrates a
17 failure of Defendants' drug interdiction and monitoring protocols.

18 37. Upon information and belief, Mr. Balderas overdosed earlier in the day on
19 August 25, 2025, well before jail staff discovered him in medical distress.

20 38. On August 25, 2025, Mr. Balderas' cellmate contacted Mr. Balderas' family by
21 telephone and informed them that Mr. Balderas had overdosed earlier in the day. The fact
22 that a cellmate was aware of the overdose before jail staff discovered it demonstrates that the
23 signs of Mr. Balderas' medical distress were obvious to a layperson.

24 39. Upon receiving this alarming information, Mr. Balderas' daughter, Raquel
25 Balderas, immediately attempted to contact the Lerdo Pre-Trial Facility to obtain
26 information about her father's condition and to ensure he was receiving medical care.
27 Despite her urgent efforts, she was repeatedly transferred between different departments and
28 was unable to obtain any information about her father's status.

1 40. Jail staff did not discover Mr. Balderas in medical distress until approximately
2 4:00 p.m. on August 25, 2025. Upon information and belief, this was hours after Mr.
3 Balderas actually overdosed and hours after his cellmate had already notified family
4 members.

5 41. Upon information and belief, the Lerdo Pre-Trial Facility policy and California
6 regulations (Cal. Code Regs., tit. 15, § 1027) required custody staff to conduct safety and
7 welfare checks of all inmates at regular intervals, no less frequently than once per hour, and
8 more frequently for inmates with identified medical needs.

9 42. Upon information and belief, during the hours between Mr. Balderas'
10 overdose and his discovery at approximately 4:00 p.m., custody staff either: (a) Failed to
11 conduct the required welfare checks; (b) conducted welfare checks that consisted of corridor
12 observations rather than direct-view checks sufficient to identify signs of medical distress, in
13 violation of constitutional standards; or, (c) conducted checks but failed to identify obvious
14 signs of opioid overdose, including respiratory depression, loss of consciousness, or
15 cyanosis.

16 43. The fact that Mr. Balderas' cellmate was able to identify the overdose and
17 contact family members by telephone before jail staff discovered the emergency
18 demonstrates that the signs of Mr. Balderas' medical distress would have been apparent to
19 any staff member who conducted a meaningful, direct-view welfare check.

20 44. Following discovery, Mr. Balderas was transported to Kern Medical hospital.
21 Despite medical intervention, he was pronounced dead at approximately 2:52 a.m. on
22 August 26, 2025, nearly eleven hours after staff discovered him in distress.

23 45. The Kern County Coroner determined that the official cause of death was
24 acute fentanyl and buprenorphine intoxication. The manner of death was ruled accidental.
25 The combination of fentanyl with the buprenorphine already in Mr. Balderas' system created
26 a lethal interaction that jail medical staff should have been vigilant to prevent through
27 enhanced monitoring.
28

1 46. Naloxone (Narcan) is a life-saving opioid antagonist that can rapidly reverse
2 the effects of opioid overdose when administered within a clinically appropriate window.
3 Upon information and belief, Lerdo Pre-Trial Facility maintained a supply of naloxone at the
4 facility and correctional and medical staff were trained in its administration, as naloxone is
5 standard equipment for emergency medical response to opioid overdoses in custodial
6 settings.

7 47. Upon information and belief, the Lerdo Pre-Trial Facility maintained a supply
8 of naloxone at the facility and correctional and medical staff were trained in its
9 administration, as required by law.

10 48. Fentanyl overdoses are routinely survivable when naloxone is administered
11 within the clinically appropriate window. Mr. Balderas' overdose was not immediately fatal;
12 he survived for approximately eleven hours after staff discovered him and was transported
13 to Kern Medical. The extended survival period demonstrates that earlier intervention,
14 including prompt administration of naloxone, would more likely than not have reversed the
15 overdose and prevented his death.

16 49. Had Defendants conducted direct-view welfare checks as required, they would
17 have discovered Mr. Balderas in distress hours earlier, when naloxone administration would
18 have been effective. The hours-long delay between the overdose and its discovery deprived
19 Mr. Balderas of this life-saving intervention.

20 ***Similar Prior Incidents at the Lerdo Pre-Trial Facility***

21 50. The pattern of deaths at the Lerdo Pre-Trial Facility includes multiple
22 incidents involving the same core failures present in Mr. Balderas' case: Delayed discovery
23 of medical emergencies, inadequate monitoring of high-risk detainees, and failure to provide
24 timely intervention.

- 25 (a) On July 28, 2024, Courtney Easley, age 28, died of fentanyl intoxication
26 at the Lerdo Pre-Trial Facility. Ms. Easley's death demonstrated that
27 fentanyl was accessible to inmates and that existing drug interdiction
28 measures were inadequate. Upon information and belief, Ms. Easley's

death also involved a delay between the onset of her overdose and its discovery by staff.

(b) On August 15, 2025, eleven days before Mr. Balderas' death, a 61-year-old unidentified inmate was found unresponsive during a routine check at Lerdo Pre-Trial Facility. The fact that the inmate was found during a routine check indicates that his medical distress had gone undetected between checks.

(c) On September 7, 2025, twelve days after Mr. Balderas' death, 34-year-old Frank Robert Miller was found experiencing a medical emergency at the Lerdo Pre-Trial Facility and later died at a hospital. This death demonstrates that the monitoring failures present in Mr. Balderas' case continued unabated.

(d) In 2023, Shai Rogers, a 34-year-old man, died by suicide on April 21, 2023, while on suicide watch at Lerdo. His family filed a federal lawsuit, *Rogers v. County of Kern*, Case No. 1:23-cv-01182 (E.D.Cal.), alleging deliberate indifference to his safety. That death demonstrates that monitoring failures at Lerdo extended even to detainees specifically flagged for enhanced observation.

51. These prior incidents put Defendants on notice that their welfare-check protocols, monitoring procedures, and medical response practices were inadequate to protect detainees from the specific type of harm that befell Mr. Balderas.

Defendants' Knowledge and Failure to Act

52. Defendants were on notice that their policies and practices were resulting in preventable harm to inmates through multiple sources:

- (a) The fentanyl overdose death of Courtney Easley at Lerdo in July 2024, demonstrating that fentanyl was accessible to inmates at the facility;
- (b) Additional deaths at Lerdo involving delayed discovery of medical emergencies in 2025;

- (c) Prior federal litigation alleging monitoring failures, including *Rogers v. County of Kern*;
- (d) Inmate grievances and complaints regarding delayed medical care, as evidenced by the personal experience of Plaintiff Andres Balderas; and,
- (e) The passage of California Senate Bill 519 in 2024, creating a state director of in-custody death review in response to rising jail death rates.

53. Despite this notice, Defendants failed to implement enhanced monitoring protocols for medication-assisted treatment patients, failed to improve drug interdiction measures, failed to ensure meaningful direct-view welfare checks, and failed to improve emergency response protocols for overdose situations.

FIRST CAUSE OF ACTION

42 U.S.C. § 1983: Fourteenth Amendment Violation

Failure to Protect

(As Against All Defendants)

54. Plaintiffs incorporate by reference all preceding paragraphs as though fully set forth herein.

55. At all relevant times, Mr. Balderas was a pre-trial detainee in the custody of Defendants. As a pre-trial detainee, Mr. Balderas' constitutional rights arise under the Due Process Clause of the Fourteenth Amendment.

56. Under the Fourteenth Amendment, a pre-trial detainee can prevail on a failure-to-protect claim by showing that the defendant's conduct was objectively unreasonable. This objective standard requires that a reasonable officer in the circumstances would have appreciated the high degree of risk involved.

57. Defendants knew that Mr. Balderas was a daily fentanyl user with a serious opioid dependency and high tolerance. This knowledge was documented in jail records based on Mr. Balderas' intake disclosures and was evidenced by the prescription of buprenorphine for withdrawal management.

///

1 58. Defendants knew or should have known that patients receiving medication-
2 assisted treatment for opioid use disorder are at heightened risk of fatal overdose if exposed
3 to opioids, because the combination of buprenorphine with full opioid agonists such as
4 fentanyl can cause lethal respiratory depression.

5 59. Defendants knew or should have known that fentanyl was accessible within
6 the Lerdo Pre-Trial Facility, as demonstrated by the fentanyl overdose death of Courtney
7 Easley at the same facility thirteen months earlier.

8 60. Despite this convergence of known, individualized risk factors, Defendants
9 failed to take reasonable measures to protect Mr. Balderas. Specifically, Defendants:
10 (a) Housed Mr. Balderas in general population without enhanced monitoring or any
11 individualized safety plan despite his documented high-risk status; (b) failed to conduct
12 direct-view welfare checks sufficient to identify signs of medical distress; (c) failed to
13 implement overdose surveillance for a patient on medication-assisted treatment at a facility
14 with documented fentanyl infiltration; and, (d) failed to discover his overdose for hours,
15 even as his cellmate identified the emergency.

16 61. Defendants' conduct was objectively unreasonable. A reasonable custodial
17 official, aware that a daily fentanyl user on medication-assisted treatment was housed at a
18 facility where fentanyl had killed an inmate, would implement enhanced monitoring for that
19 detainee.

20 62. As a direct and proximate result of Defendants' objectively unreasonable
21 conduct, Mr. Balderas suffered a fatal overdose and died.

22 **SECOND CAUSE OF ACTION**

23 **42 U.S.C. § 1983: Fourteenth Amendment Violation**

24 **Deliberate Indifference to Serious Medical Needs**

25 **(As Against All Defendants)**

26 63. Plaintiffs incorporate by reference all preceding paragraphs as though fully set
27 forth herein.

28 ///

1 64. Pre-trial detainees have a Fourteenth Amendment right to adequate medical
2 care, evaluated under an objective deliberate indifference standard.

3 65. Mr. Balderas had serious medical needs, including his documented opioid
4 addiction, his pre-existing cardiac condition, his need for medication-assisted treatment, and
5 his acute need for emergency medical care following his overdose.

6 66. Defendants were aware of Mr. Balderas' serious medical needs. They knew of
7 his addiction history based on his intake disclosures and were actively treating him with
8 buprenorphine, a medication that requires careful monitoring and that creates known risks if
9 combined with other opioids.

10 67. Despite this knowledge, Defendants failed to provide objectively reasonable
11 medical care. Specifically, Defendants: (a) Failed to implement enhanced monitoring
12 protocols for a patient on medication-assisted treatment with a known cardiac condition;
13 (b) failed to conduct direct-view welfare checks sufficient to identify signs of medical
14 distress; (c) failed to discover his overdose in a timely manner despite his high-risk status;
15 and, (d) failed to provide prompt emergency medical intervention, including timely
16 administration of naloxone.

17 68. The delay in discovering Mr. Balderas' overdose was significant. His cellmate
18 knew about the overdose and contacted family members before jail staff discovered him.
19 This demonstrates that the overdose was obvious enough for a fellow inmate to recognize
20 but was missed by staff responsible for monitoring.

21 69. Had Mr. Balderas been discovered promptly through direct-view welfare
22 checks, naloxone could have been administered to reverse the overdose. The hours-long
23 delay between his overdose and discovery deprived him of this life-saving intervention.

24 70. Defendants' response to Mr. Balderas' medical emergency was objectively
25 unreasonable and demonstrates deliberate indifference to his serious medical needs.

26 ///

27 ///

28 ///

THIRD CAUSE OF ACTION

42 U.S.C. § 1983: Municipal Liability (*Monell*)

(As Against County of Kern and Sheriff Youngblood in His Official Capacity)

71. Plaintiffs incorporate by reference all preceding paragraphs as though fully set forth herein.

72. A municipality may be held liable under section 1983 of title 42 of the United States Code when a plaintiff demonstrates that an official policy, custom, or practice of the municipality caused a constitutional violation. *Monell v. Dep't of Soc. Servs.* (1978), 436 U.S. 658. Municipal liability may be established through: (1) An official policy; (2) a pervasive practice or custom; (3) a failure to train, supervise, or discipline that amounts to deliberate indifference; or (4) a decision or act by a final policymaker. *Gravelet-Blondin v. Shelton* (9th Cir. 2013), 728 F.3d 1086, 1096.

73. Defendant County of Kern maintained policies, practices, and customs that were the moving force behind the constitutional violations that caused Mr. Balderas' death, including:

- (a) Inadequate policies for identifying, classifying, and monitoring high-risk detainees, including those with known substance abuse disorders and those receiving medication-assisted treatment;
- (b) Inadequate policies for conducting welfare checks, including failure to require direct-view checks sufficient to identify signs of medical distress;
- (c) Inadequate policies for responding to medical emergencies, including drug overdoses, and for ensuring timely administration of naloxone;
- (d) Inadequate drug interdiction policies that permitted fentanyl to infiltrate the facility despite prior overdose deaths; and,
- (e) No policy requiring individualized safety plans or enhanced monitoring for inmates receiving medication-assisted treatment for opioid use disorder.

///

1 74. The pattern of deaths at the Lerdo Pre-Trial Facility includes incidents
2 involving the same core failures present in Mr. Balderas' case: The death of Courtney Easley
3 in July 2024 due to fentanyl overdose; the death in August 15, 2025, of an unidentified
4 61-year-old inmate found unresponsive during a routine check; the death in September 2025
5 of Frank Robert Miller following a medical emergency; and the suicide death in April 2023
6 of Shai Rogers while on suicide watch, which resulted in federal litigation. Each of these
7 deaths involved delayed discovery of medical distress or inadequate monitoring of high-risk
8 detainees. This pattern put Defendants on notice that their policies were inadequate to
9 protect detainees from the specific type of harm that befell Mr. Balderas.

10 75. Defendant County of Kern failed to adequately train its employees regarding:
11 (a) The overdose risks posed by the combination of buprenorphine with fentanyl;
12 (b) identification of inmates on medication-assisted treatment as a high-risk population
13 requiring enhanced monitoring; (c) the clinical signs of opioid overdose, including
14 respiratory depression, miosis, and decreased level of consciousness; (d) proper protocols for
15 conducting direct-view welfare checks sufficient to identify signs of medical distress; and,
16 (e) prompt administration of naloxone to inmates exhibiting signs of opioid overdose.

17 76. In the alternative, even absent a pattern of prior similar violations, the need
18 for enhanced monitoring of medication-assisted treatment patients in a facility with
19 documented fentanyl infiltration was so obvious that a fatal overdose was an highly
20 predictable consequence of the failure to train and implement monitoring protocols. *Connick*
21 *v. Thompson* (2011), 563 U.S. 51, 63-64; *Board of County Comm'rs v. Brown* (1997), 520 U.S. 397,
22 409. Defendants knew fentanyl was accessible at Lerdo because Courtney Easley died of
23 fentanyl intoxication there thirteen months earlier. Defendants knew Mr. Balderas was a
24 daily fentanyl user on buprenorphine. Yet Defendants had no policy requiring enhanced
25 monitoring of medication-assisted treatment patients at facilities with documented fentanyl
26 infiltration.

27 ///

28 ///

1 77. Sheriff Donny Youngblood is the final policymaker for the County with
2 respect to law enforcement and detention operations. His decisions, actions, and failures to
3 act constitute official County policy for purposes of *Monell* liability.

4 78. The County's policies, practices, customs, and failures to train were the
5 moving force behind the constitutional violations that caused Mr. Balderas' death.

6 **FOURTH CAUSE OF ACTION**

7 **Violation of California Government Code Section 845.6**

8 **Failure to Summon Medical Care**

9 **(As Against All Defendants)**

10 79. Plaintiffs incorporate by reference all preceding paragraphs as though fully set
11 forth herein.

12 80. California Government Code section 845.6 provides that a public employee,
13 and the public entity where the employee is acting within the scope of employment, is liable
14 if the employee knows or has reason to know that a prisoner is in need of immediate medical
15 care and fails to take reasonable action to summon such care.

16 81. At all relevant times, Mr. Balderas was a prisoner within the meaning of
17 Government Code section 844. Defendants' employees knew or had reason to know that
18 Mr. Balderas was in need of immediate medical care when they discovered him in medical
19 distress at approximately 4:00 p.m. on August 25, 2025. At that time, they observed or
20 should have observed signs consistent with opioid overdose, including respiratory
21 depression, decreased level of consciousness, and cyanosis.

22 82. Additionally, Mr. Balderas' cellmate contacted family members to report the
23 overdose before staff discovered him. This demonstrates that the signs of Mr. Balderas'
24 medical distress were obvious, and that any staff member conducting a meaningful welfare
25 check had reason to know of the need for immediate medical care.

26 83. Upon discovery of Mr. Balderas in medical distress, Defendants' employees
27 failed to take reasonable action to summon immediate emergency medical care with the
28 urgency required by his condition. The extended period between discovery at approximately

1 4:00 p.m. and his death at 2:52 a.m. the following morning demonstrates that the response
2 was not adequate to address his acute medical emergency.

3 84. As a direct and proximate result of Defendants' failure to summon immediate
4 medical care, Mr. Balderas died.

5 85. Plaintiffs filed a timely government claim pursuant to California Government
6 Code section 910 et seq. On or about January 16, 2026, Plaintiffs presented a written claim
7 to the County of Kern. The claim was rejected on March 3, 2026. This action is filed within
8 the six-month period prescribed by Government Code section 945.6, subdivision (a)(1).

9 **FIFTH CAUSE OF ACTION**

10 **Medical Negligence/Medical Malpractice**

11 **(As Against All Defendants and DOES 1-25)**

12 86. Plaintiffs incorporate by reference all preceding paragraphs as though fully set
13 forth herein.

14 87. At all relevant times, Defendants and the Medical Doe Defendants owed Mr.
15 Balderas a duty to provide medical care consistent with the applicable standard of care for
16 correctional healthcare.

17 88. The standard of care for correctional healthcare requires, among other things:
18 (a) Appropriate intake screening to identify inmates with substance use disorders;
19 (b) development of individualized treatment plans for inmates on medication-assisted
20 treatment; (c) enhanced monitoring of high-risk patients, including those with opioid use
21 disorder and cardiac conditions; (d) timely response to signs of medical distress;
22 (e) appropriate documentation and communication among medical staff; and, (f) availability
23 and prompt administration of naloxone.

24 89. Defendants and the Medical Doe Defendants breached the standard of care
25 by failing to: (a) Provide adequate monitoring given Mr. Balderas' documented fentanyl use
26 and prescription for buprenorphine; (b) develop and implement an appropriate treatment
27 plan accounting for his cardiac condition; (c) conduct timely welfare assessments to identify
28

1 signs of overdose; (d) discover his overdose in a timely manner; and, (e) provide timely
2 emergency intervention, including administration of naloxone.

3 90. As a direct and proximate result of Defendants' medical negligence, Mr.
4 Balderas suffered an undetected overdose, was deprived of timely life-saving intervention,
5 and died.

6 91. Plaintiffs filed a timely government claim pursuant to California Government
7 Code section 910 et seq.

8 **SIXTH CAUSE OF ACTION**

9 **Negligence**

10 **(Gov. Code, §§ 815.2 and 820)**

11 **(As Against All Defendants)**

12 92. Plaintiffs incorporate by reference all preceding paragraphs as though fully set
13 forth herein.

14 93. Pursuant to California Government Code section 820, subdivision (a), public
15 employees are liable for injury caused by their acts or omissions to the same extent as a
16 private person. The individual employees of Defendants, including custody deputies and
17 supervisory officers responsible for the monitoring and supervision of Mr. Balderas, owed
18 him a duty of care arising from their custodial relationship.

19 ///

20 94. These employees breached their duty of care by: (a) Failing to conduct direct-
21 view welfare checks at required intervals; (b) failing to adequately monitor a high-risk
22 detainee; (c) failing to discover his overdose in a timely manner; (d) failing to summon
23 medical care promptly; and, (e) failing to respond to the emergency with reasonable
24 diligence.

25 95. These breaches of duty were a substantial factor in causing Mr. Balderas'
26 death.

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28 ///

1 96. Pursuant to California Government Code section 815.2, subdivision (a),
2 Defendant County of Kern is vicariously liable for the tortious acts and omissions of its
3 employees committed within the scope of their employment.

4 97. Plaintiffs filed a timely government claim pursuant to California Government
5 Code section 910 et seq.

6 **SEVENTH CAUSE OF ACTION**

7 **Wrongful Death**

8 **California Code of Civil Procedure Section 377.60**

9 **(As Against All Defendants)**

10 98. Plaintiffs incorporate by reference all preceding paragraphs as though fully set
11 forth herein.

12 99. Plaintiffs are the adult children of Decedent Raymond Vasquez Balderas and
13 are persons entitled to bring a wrongful death action pursuant to California Code of Civil
14 Procedure section 377.60. Plaintiffs constitute all statutory heirs with standing to bring this
15 action; no other persons hold a right to recovery under section 377.60.

16 100. As alleged herein, Defendants' wrongful acts and omissions caused the death
17 of Mr. Balderas.

18 101. As a direct and proximate result of Mr. Balderas' death, Plaintiffs have
19 suffered and continue to suffer damages, including but not limited to: Loss of love,
20 companionship, comfort, care, assistance, protection, affection, society, and moral support;
21 funeral and burial expenses; and all other damages recoverable under California law.

22 **EIGHTH CAUSE OF ACTION**

23 **Survival Action**

24 **California Code of Civil Procedure Section 377.30**

25 **(As Against All Defendants)**

26 102. Plaintiffs incorporate by reference all preceding paragraphs as though fully set
27 forth herein.

28 ///

103. Plaintiffs bring this cause of action as Successors-in-Interest to Decedent Raymond Vasquez Balderas pursuant to California Code of Civil Procedure section 377.30.

104. Pursuant to California Code of Civil Procedure section 377.32, declarations of Raquel Balderas, Angela Salas, Andres Balderas, Vincent Balderas, and Raymond Balderas, Jr., establishing their status as the Successors-in-Interest to Decedent Raymond Vasquez Balderas, are filed concurrently herewith as **Exhibit A**.

105. As alleged herein, Defendants' wrongful acts and omissions caused Mr. Balderas to suffer injuries and damages before his death.

106. As a direct and proximate result of Defendants' conduct, Mr. Balderas suffered damages including physical pain and suffering, emotional distress, and fear of impending death. Mr. Balderas experienced the suffering of an opioid overdose for hours before he was discovered and transported to the hospital, where he died approximately eleven hours later.

107. Plaintiffs, as Successors-in-Interest, are entitled to recover all damages that Mr. Balderas would have been entitled to recover had he survived.

NINTH CAUSE OF ACTION

Violation of California Civil Code Section 52.1 (Tom Bane Civil Rights Act) (As Against All Defendants)

108. Plaintiffs incorporate by reference all preceding paragraphs as though fully set forth herein.

109. California Civil Code section 52.1, the Tom Bane Civil Rights Act, provides a cause of action for damages against any person who interferes, or attempts to interfere, by threats, intimidation, or coercion, with the exercise or enjoyment of rights secured by the Constitution or laws of the United States or California.

110. Mr. Balderas had constitutionally protected rights, including rights secured by the Fourteenth Amendment to the United States Constitution and article I of the California Constitution, to be free from punishment as a pre-trial detainee, to safe conditions of confinement, and to adequate medical care.

111. Defendants interfered with Mr. Balderas' constitutionally protected rights through conduct that constitutes coercion within the meaning of the Tom Bane Civil Rights Act. The inherently coercive nature of the custodial environment placed Mr. Balderas in a position of complete dependency upon Defendants for his safety, medical care, and survival. In this coercive setting, Defendants' conduct demonstrated reckless disregard for Mr. Balderas' clearly established constitutional rights. *Cornell v. City and County of San Francisco* (2017), 17 Cal.App.5th 766, 801-04; *Reese v. County of Sacramento* (9th Cir. 2018), 888 F.3d 1030, 1043. Specifically:

- (a) Despite actual knowledge that fentanyl had killed an inmate at the Lerdo Pre-Trial Facility thirteen months earlier, Defendants failed to prevent fentanyl from circulating in the facility, subjecting Mr. Balderas to the substance most likely to kill him;
- (b) Despite documenting Mr. Balderas' daily fentanyl use and prescribing buprenorphine, Defendants housed him in general population without enhanced monitoring, abandoning a known high-risk patient to foreseeable lethal risks;
- (c) When Mr. Balderas overdosed, Defendants failed to discover his condition for hours, despite his cellmate recognizing the emergency and contacting family members, demonstrating that the signs of distress were obvious but deliberately ignored by those charged with his protection;
- (d) When Mr. Balderas' daughter Raquel attempted to alert the facility, she was repeatedly transferred between departments and unable to obtain any information, effectively preventing her from ensuring her father received medical care.

112. Defendants' reckless disregard of Mr. Balderas' clearly established constitutional rights in a coercive custodial environment satisfies the specific intent requirement under *Cornell* and *Reese*. See also, *M.H. v. County of Alameda* (N.D.Cal. 2013), 90 F.Supp.3d 889, 899.

1 113. Pursuant to Civil Code section 52.1, subdivision (n), the immunities provided
2 by Government Code sections 821.6 and 845.6 do not apply to claims brought under the
3 Tom Bane Civil Rights Act against peace officers, custodial officers, or the public entities
4 employing them.

5 114. As a direct and proximate result of Defendants' conduct, Mr. Balderas
6 suffered injuries and damages, and Plaintiffs are entitled to damages pursuant to Civil Code
7 section 52.1.

8 **TENTH CAUSE OF ACTION**

9 **42 U.S.C. § 1983: Supervisory Liability**

10 **(As Against Defendant Youngblood in His Individual Capacity)**

11 115. Plaintiffs incorporate by reference all preceding paragraphs as though fully set
12 forth herein.

13 116. A supervisor may be held individually liable under section 1983 of title 42 of
14 the United States Code where the supervisor's own actions or inactions amount to deliberate
15 indifference to a known constitutional violation. *Starr v. Baca* (9th Cir. 2011), 652 F.3d 1202,
16 1207-08.

17 117. Sheriff Youngblood had actual knowledge of the substantial risk of harm to
18 pre-trial detainees at the Lerdo Pre-Trial Facility. He was specifically on notice that fentanyl
19 was infiltrating the facility following the death in July 2024 of Courtney Easley from fentanyl
20 intoxication. He was on notice of monitoring failures through the *Rogers* litigation and other
21 incidents involving delayed discovery of medical emergencies.

22 118. Despite this knowledge, Sheriff Youngblood failed to take corrective action.
23 He failed to implement enhanced monitoring protocols for high-risk detainees, including
24 those receiving medication-assisted treatment. He failed to improve drug interdiction
25 measures following the Easley death. He failed to ensure that welfare checks were conducted
26 in a manner sufficient to identify signs of medical distress.

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119. Sheriff Youngblood's failure to act in the face of known, ongoing risks constitutes supervisory deliberate indifference and was a proximate cause of Mr. Balderas' death.

DAMAGES

120. As a direct and proximate result of Defendants' conduct, Plaintiffs are entitled to damages including but not limited to:

- (a) Compensatory damages for the wrongful death of Raymond Vasquez Balderas;
- (b) Damages for loss of love, companionship, comfort, care, assistance, protection, affection, society, and moral support;
- (c) Funeral and burial expenses;
- (d) Survival damages for Mr. Balderas' pre-death pain and suffering, emotional distress, and fear of impending death;
- (e) Punitive damages against Defendant Youngblood in his individual capacity;
- (f) Damages pursuant to California Civil Code section 52.1;
- (g) Attorney's fees and costs pursuant to section 1988 of title 42 of the United States Code and California Civil Code section 52.1;
- (h) Pre-judgment and post-judgment interest as allowed by law; and
- (i) Such other and further relief as the Court deems just and proper.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs pray for judgment against Defendants as follows:

1. For compensatory damages according to proof at trial;
2. For punitive damages against Defendant Youngblood in his individual capacity;
3. For damages pursuant to California Civil Code section 52.1;
4. For attorney's fees and costs pursuant to section 1988 of title 42 of the United States Code and Civil Code section 52.1;

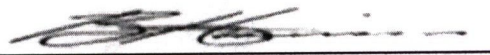
1 5. For pre-judgment and post-judgment interest;

2 6. For such other and further relief as the Court deems just and proper.

3
4 Respectfully Submitted,

5
6 Dated: August 28, 2026

HARRISON | KRISTOPHER, LLP

7
8 
9 Bryan J. Harrison, Esq.,
10 Attorney for Plaintiffs, RAQUEL BALDERAS,
11 ANGELA SALAS, ANDRÉS BALDERAS,
12 VINCENT BALDERAS, and RAYMOND
13 BALDERAS, JR., individually and as Successors-
14 in-Interest to RAYMOND VASQUEZ
15 BALDERAS, Deceased
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DEMAND FOR TRIAL BY JURY

Plaintiffs hereby demand a trial by jury on all issues so triable.

Dated: August 28, 2026

HARRISON | KRISTOPHER, LLP


Bryan J. Harrison, Esq.,
Attorney for Plaintiffs, RAQUEL BALDERAS,
ANGELA SALAS, ANDRÉS BALDERAS,
VINCENT BALDERAS, and RAYMOND
BALDERAS, JR., individually and as Successors-
in-Interest to RAYMOND VASQUEZ
BALDERAS, Deceased

EXHIBIT A

1 I, RAQUEL BALDERAS, declare as follows:

2 1. I am the Plaintiff in this action and the successor in interest to Decedent
3 RAYMOND BALDERAS.

4 2. Decedent died on August 26, 2025. A copy of Decedent's death certificate is attached
5 as Exhibit A.

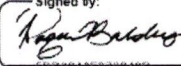
6 3. No proceeding is pending in California for administration of Decedent's estate.

7 4. I am a successor in interest to the Decedent as a surviving next of Kin entitled to
8 Decedent's estate under California law. No other person has a superior right to commence
9 this action.

10 5. I bring this action individually and as a successor in interest to the Estate of
11 Raymond Balderas.

12 I declare under penalty of perjury under the laws of the State of California and the
13 United States that the foregoing is true and correct.
14

15 Dated: 1/14/2026

Signed by:

08/28/2026 07:02:48

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17 RAQUEL BALDERAS
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DECLARATION OF RAQUEL BALDERAS

I, ANGELA SALAS, declare as follows:

1. I am the Plaintiff in this action and the successor in interest to Decedent RAYMOND BALDERAS.

2. Decedent died on August 26, 2025. A copy of Decedent's death certificate is attached as Exhibit A.

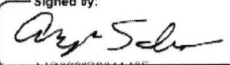
3. No proceeding is pending in California for administration of Decedent's estate.

4. I am a successor in interest to the Decedent as a surviving next of Kin entitled to Decedent's estate under California law. No other person has a superior right to commence this action.

5. I bring this action individually and as a successor in interest to the Estate of Raymond Balderas.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

Dated: 1/8/2026

Signed by: 

ANGELIA SALAS

DECLARATION OF ANGELA SALAS

I, ANDRES BALDERAS, declare as follows:

1. I am the Plaintiff in this action and the successor in interest to Decedent RAYMOND BALDERAS.

2. Decedent died on August 26, 2025. A copy of Decedent's death certificate is attached as Exhibit A.

3. No proceeding is pending in California for administration of Decedent's estate.

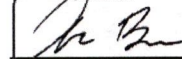
4. I am a successor in interest to the Decedent as a surviving next of Kin entitled to Decedent's estate under California law. No other person has a superior right to commence this action.

5. I bring this action individually and as a successor in interest to the Estate of Raymond Balderas.

I declare under penalty of perjury under the laws of the State of California and the United States that the foregoing is true and correct.

Dated: 1/14/2026

Signed by:



40E8015AF7404E8...

ANDRES BALDERAS

DECLARATION OF ANDRES BALDERAS

1 I, VINCENT BALDERAS, declare as follows:

2 1. I am the Plaintiff in this action and a successor in interest to Decedent
3 RAYMOND BALDERAS.

4 2. Decedent died on August 26, 2025. A copy of Decedent's death certificate is attached
5 as Exhibit A.

6 3. No proceeding is pending in California for administration of Decedent's estate.

7 4. I am the successor in interest to the Decedent as a surviving next of Kin entitled to
8 Decedent's estate under California law. No other person has a superior right to commence
9 this action.

10 5. I bring this action individually and as a successor in interest to the Estate of
11 Raymond Balderas.

12 I declare under penalty of perjury under the laws of the State of California and the
13 United States that the foregoing is true and correct.
14

15 Dated: 1/14/2026

Signed by:
Vincent Balderas
CAPTIONED

VINCENT BALDERAS

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1 I, RAYMOND BALDERAS JR, declare as follows:

2 1. I am the Plaintiff in this action and the successor in interest to Decedent
3 RAYMOND BALDERAS.

4 2. Decedent died on August 26, 2025. A copy of Decedent's death certificate is attached
5 as Exhibit A.

6 3. No proceeding is pending in California for administration of Decedent's estate.

7 4. I am a successor in interest to the Decedent as a surviving next of Kin entitled to
8 Decedent's estate under California law. No other person has a superior right to commence
9 this action.

10 5. I bring this action individually and as a successor in interest to the Estate of Raymond
11 Balderas.

12 I declare under penalty of perjury under the laws of the State of California and the
13 United States that the foregoing is true and correct.

14 Dated: 1/21/2026

Signed by: By
Raymond Balderas Jr

Signed by:
Raymond Balderas Jr
576664F876249D

RAYMOND BALDERAS JR

28
DECLARATION OF RAYMOND BALDERAS JR

3052025192111

CERTIFICATE OF DEATH

3202515004277

STATE FILE NUMBER		LOCAL REGISTRATION NUMBER	
1. NAME OF DECEDENT - FIRST (Given) RAYMOND		3. LAST (Family) BALDERAS	
2. MIDDLE VASQUEZ		4. DATE OF BIRTH mm/dd/yyyy 1985	
5. AGE Yrs. 60		6. SEX M	
9. BIRTH STATE/FOREIGN COUNTRY MI		10. SOCIAL SECURITY NUMBER 5053	
11. EVER IN U.S. ARMED FORCES? ☐ YES ☒ NO ☐ UNK		12. MARITAL STATUS/SEXP (at Time of Death) DIVORCED	
13. EDUCATION - Highest Level/Degree (See worksheet on back) GED		14/15. WAS DECEDENT HISPANIC/LATINO/SPANISH? (If yes, see worksheet on back) ☒ YES MEXICAN	
16. DECEDENT'S RACE - Up to 3 races may be listed (see worksheet on back) MEXICAN AMERICAN		17. USUAL OCCUPATION - Type of work for most of life. DO NOT USE RETIRED CHURCH LEADER	
18. KIND OF BUSINESS OR INDUSTRY (e.g., grocery store, road construction, employment agency, etc.) RELIGION		19. YEARS IN OCCUPATION 5	
20. DECEDENT'S RESIDENCE (Street and number, or location) [REDACTED]			
21. CITY BAKERSFIELD		22. COUNTY/PROVINCE KERN	
23. ZIP CODE 93305		24. YEARS IN COUNTY 45	
25. STATE/FOREIGN COUNTRY CA		26. INFORMANT'S NAME, RELATIONSHIP RAQUEL BALDERAS, DAUGHTER	
27. WHERE BORN (Last 100 addresses, street and number, or rural route, township, city or town, state and zip) [REDACTED] WASCO, CA 93280		28. NAME OF SURVIVING SPOUSE/SEXP - FIRST PEDRO	
29. MIDDLE -		30. LAST (BIRTH NAME) BALDERAS	
31. NAME OF PARENT - FIRST FRANCISCA		32. MIDDLE -	
33. LAST (BIRTH NAME) VASQUEZ		34. BIRTH STATE TX	
35. NAME OF PARENT - FIRST FRANCISCA		36. MIDDLE -	
37. LAST (BIRTH NAME) VASQUEZ		38. BIRTH STATE TX	
39. DEPOSITION DATE mm/dd/yyyy 09/12/2025		40. PLACE OF FINAL DISPOSITION RESIDENCE OF RAQUEL BALDERAS WASCO, CA 93280	
41. TYPE OF DISPOSITION CREMATE/RESIDENCE		42. SIGNATURE OF EXAMINER JESUS MONTANO	
43. LICENSE NUMBER EMB7811		44. NAME OF FUNERAL ESTABLISHMENT PETERS FUNERAL HOME	
45. LICENSE NUMBER FD787		46. SIGNATURE OF LOCAL REGISTRAR KRIS LYON, MD	
47. DATE mm/dd/yyyy 09/08/2025		48. IF HOSPITAL, SPECIFY ONE ☐ F ☒ I ☐ DCA ☐ Hc/sice ☐ Nursing Home/LTO ☐ Decedent's Home ☐ Other	
101. PLACE OF DEATH KERN MEDICAL		102. IF HOSPITAL, SPECIFY ONE ☐ F ☒ I ☐ DCA ☐ Hc/sice ☐ Nursing Home/LTO ☐ Decedent's Home ☐ Other	
103. COUNTY KERN		104. CITY BAKERSFIELD	
105. FACILITY ADDRESS OR LOCATION WHERE FOUND (Street and number, or location) 1700 MOUNT VERNON AVENUE		106. CITY BAKERSFIELD	
107. CAUSE OF DEATH 1. PENDING		108. DEATH REPORTED TO CORONER? ☒ YES ☐ NO	
109. BIRTH DATE 1985		110. DEATH REPORTED TO CORONER? ☒ YES ☐ NO	
111. BIRTH DATE 1985		112. DEATH REPORTED TO CORONER? ☒ YES ☐ NO	
113. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 107 NONE		114. WAS OPERATION PERFORMED FOR ANY CONDITION (IN ITEM 107 OR 112)? (If yes, list type of operation and date) NO	
115. SIGNATURE AND TITLE OF CERTIFIER [REDACTED]		116. LICENSE NUMBER [REDACTED]	
117. TYPE ATTENDING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE [REDACTED]		118. DATE mm/dd/yyyy 09/05/2025	
119. I CERTIFY THAT IN MY OPINION DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED. MANNER OF DEATH ☐ Natural ☐ Accident ☐ Homicide ☐ Suicide ☒ Pending Investigation ☐ Could not be determined		120. INJURED AT WORK? ☐ YES ☐ NO ☐ UNK	
121. PLACE OF INJURY (e.g., home, construction site, wooded area, etc.) [REDACTED]		122. INJURY DATE mm/dd/yyyy [REDACTED]	
123. DESCRIBE HOW INJURY OCCURRED (Events which resulted in injury) [REDACTED]		124. LOCATION OF INJURY (Street and number, or location, and city, and zip) [REDACTED]	
125. SIGNATURE OF CORONER / DEPUTY CORONER MONICA LOVAN		126. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER MONICA LOVAN, DEP CORONER	
127. DATE mm/dd/yyyy 09/05/2025		128. TYPE NAME, TITLE OF CORONER / DEPUTY CORONER MONICA LOVAN, DEP CORONER	
129. STATE REGISTRAR A		130. FAX AUTH.# [REDACTED]	
131. CENSUS TRACT [REDACTED]		132. CENSUS TRACT [REDACTED]	

CERTIFIED COPY OF VITAL RECORD
STATE OF CALIFORNIA, COUNTY OF KERN

This is a true and exact reproduction of the document officially registered and placed on file with the Kern County Recorder.

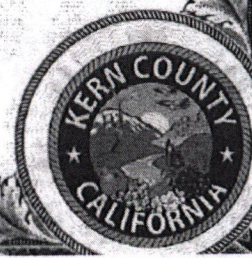
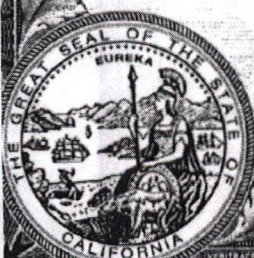
APR 03 2026

DATE ISSUED

0 0 1 3 4 6 4 7 6

Laura Avila
LAURA AVILA
ASSESSOR RECORDER

This copy is not valid unless prepared on an engraved border displaying the date, seal and signature of the County Recorder.



3052025192111

STATE FILE NUMBER

1.1

PHYSICIAN/CORONER'S AMENDMENT

NO ERASURES, WHITEOUTS, PHOTOCOPIES,
OR ALTERATIONS

3202515004277

LOCAL REGISTRATION NUMBER

☐ BIRTH ☒ DEATH ☐ FETAL DEATH

TYPE OR PRINT CLEARLY IN BLACK INK ONLY - THIS AMENDMENT BECOMES AN ACTUAL PART OF THE OFFICIAL RECORD

PART I INFORMATION TO LOCATE RECORD

INFORMATION AS IT APPEARS ON ORIGINAL RECORD	1A. NAME—FIRST RAYMOND	1B. MIDDLE VASQUEZ	1C. LAST BALDERAS	2. SEX M
	3. DATE OF EVENT—MM/DD/CCYY 08/26/2025	4. CITY OF EVENT BAKERSFIELD	5. COUNTY OF EVENT KERN	

PART II STATEMENT OF CORRECTIONS

6. CERTIFICATE ITEM NUMBER	7. INFORMATION AS IT APPEARS ON ORIGINAL RECORD	8. INFORMATION AS IT SHOULD APPEAR
107A	PENDING	ACUTE FENTANYL AND BUPRENORPHINE TOXICITY
107AT	PEND	UNK
112	NONE	HYPERTROPHIC HEART DISEASE
119	PENDING INVESTIGATION	ACCIDENT
120		N
121		08/25/2025
122		UNK
123		OTHER: JAIL
124		ACUTE FENTANYL AND BUPRENORPHINE TOXICITY
125		LERDO JAIL 17695 INDUSTRIAL FARM ROAD, BAKERSFIELD, CA 93308

DECLARATION
OF
CERTIFYING
PHYSICIAN OR
CORONER

I HEREBY DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

9. SIGNATURE OF CERTIFYING PHYSICIAN OR CORONER
MICHAIAH KENNEDY

10. DATE SIGNED—MM/DD/CCYY
10/08/2025

11. TYPED OR PRINTED NAME AND TITLE/DEGREE OF CERTIFIER
MICHAIAH KENNEDY, DEP CORONER

12. ADDRESS—STREET and NUMBER
1350 NORRIS ROAD

13. CITY
BAKERSFIELD

14. STATE
CA

15. ZIP CODE
93308-2231

STATE/LOCAL
REGISTRAR
USE ONLY

16. OFFICE OF VITAL RECORDS OR LOCAL REGISTRAR
CDPH-VR

17. DATE ACCEPTED FOR REGISTRATION—MM/DD/CCYY
10/08/2025

CERTIFIED COPY OF VITAL RECORD
STATE OF CALIFORNIA, COUNTY OF KERN

This is a true and exact reproduction of the document officially registered
and placed on file with the Kern County Recorder.

DATE ISSUED

APR 03 2026

001346475

Laura Avila
LAURA AVILA
ASSESSOR RECORDER

This copy is not valid unless prepared on an engraved border displaying the date, seal and signature of the County Recorder.

UNITED STATES MAGISTRATE JUDGE HELENA BARCH-KUCHTA (HBK)

Eastern District of California – Yosemite National Park
2500 Tulare Street, Courtroom 2, 8th Floor
Fresno, CA 93721

Patricia Apodaca, Courtroom Deputy
Office: (209) 372-8917
Email: papodaca@caed.uscourts.gov
Teleconference Number: (669) 254-5252
Meeting Id: 160 644 7139
Passcode: 646053

Proposed Orders: hbkorders@caed.uscourts.gov

Standard Procedures for U.S. Magistrate Judge Helena Barch-Kuchta

1. Civil Law and Motion Calendar

- a. Hearings on motions are to be noticed for Mondays at 1:00 pm, and Fridays at 9:00 am and 1:00 pm.
- b. Parties are not required to clear a date or time with the courtroom deputy prior to filing your motion. Parties should list their proposed hearing date in accordance with the Local Rules. If the date conflicts with the Court's calendar, the Court will reschedule the matter and issue an order with the new date. If parties do not hear from the Court, they should plan to attend the hearing on the date listed in their motion papers.
- c. Should the Court determine the matter is suitable for decision without a hearing, it will vacate the hearing date and address the motion on the briefs. *See* Local Rule 230(g).
- d. Unless granted prior approval of the Court, parties are advised that all moving and opposition briefs and/or legal memoranda filed in civil cases shall not exceed twenty-five (25) pages. Reply briefs shall not exceed ten (10) pages. These pages do not include exhibits. Parties may seek leave for additional pages through a telephonic conference with all parties, or by brief motion.
- e. Judge Barch-Kuchta does not issue tentative rulings.
- f. In keeping with the Local Rules, counsel must email to chambers email (hbkorders@caed.uscourts.gov) all proposed orders, applications, requests, stipulations, etc., in an editable format. Per Local Rule 131(a)(c), the emailed document must include the attorney(s)' electronic signature(s), as well as the date signed. Please include the case name and number in the subject line of all emails.

2. Scheduling Orders

- a. The dates set by the Court in the Scheduling Order are firm and will not be modified absent a showing of good cause, even if the parties file a stipulation to modify the schedule. Stipulations extending deadlines will not be considered unless they are accompanied by affidavits or declarations, with exhibits if appropriate, that establish good cause for granting the requested modification.

3. Scheduling Conferences

- a. If the Court sets a mandatory scheduling conference, the parties must file a joint scheduling conference report at least one full week (7 days) prior to the scheduling conference. The parties shall email the report, in an editable format, to chambers email (hbkorders@caed.uscourts.gov). A template of the joint scheduling report is available at [https://www.caed.uscourts.gov/caednew/assets/File/HBK/Joint%20Scheduling%20Report%20Template%20\(Rcv%204-8-2024\).docx](https://www.caed.uscourts.gov/caednew/assets/File/HBK/Joint%20Scheduling%20Report%20Template%20(Rcv%204-8-2024).docx).

4. Discovery Motions

- a. Judge Barch-Kuchta will not consider any discovery motions without prior approval in accordance with the following procedures:
 - i. A party with a discovery dispute must confer with the opposing party in a good faith effort to resolve the motion without court action. If such effort fails, the moving party must, prior to filing a notice of motion, contact Courtroom Deputy Patricia Apodaca at papodaca@caed.uscourts.gov to request a pre-motion telephone conference with Judge Barch-Kuchta. The request shall be deemed to include a professional representation by the requesting party that a good-faith effort to resolve the dispute took place but failed, and it must advise the Court of dates and times when all concerned parties are available to confer.
 - ii. The Court will issue a minute order advising counsel of the time and date of the telephone conference.
 - iii. **Prior to the telephone conference, the parties shall simultaneously file an “Informal Discovery Dispute Letter Brief,”** outlining their positions regarding the dispute. The letter brief is limited to three (3) pages in length and shall be filed no later than twenty-four hours before the scheduled conference. Attachments are prohibited.

- iv. At the conference, the Court will discuss the issue raised and attempt to provide guidance to narrow or dispose of the dispute. The Court may announce an anticipated ruling on the dispute. If no resolution can be reached, a party may seek permission to file a formal discovery motion.
- v. Formal discovery hearings shall comply with Local Rule 251. Any such motion should (1) quote in full each interrogatory, deposition question, request for admission, or request for production that is in dispute, and (2) state the response or objection and grounds therefor articulated by the opposing party. Unless otherwise ordered, deposition transcripts or discovery papers are not to be filed with the Court.

5. Settlement Conferences

- a. Parties may contact Courtroom Deputy Patricia Apodaca to request that a magistrate judge serve as mediator in a settlement conference. Judge Barch-Kuchta will issue a pre-conference order establishing procedures and expectations for the settlement conference. This order may require a pre-conference call from each party and pre-conference telephone call with the lead attorneys.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

*****,

Plaintiff**,

v.

*****,

Defendant**.

Case No.

JOINT SCHEDULING REPORT

DATE:

TIME:

The goal of this case management report is to "secure the just, speedy, and inexpensive determination of" the action. *See* Fed. R. Civ. P. 1.

A. Brief Summary of Factual and Legal Contentions

Joint Description of Action

In a few sentences, describe the nature of the action and its complexity.

Plaintiff's Factual and Legal Contentions

Defendant's Factual and Legal Contentions

B. Discovery Plan

1. Date and Attendees

The parties must confer "as soon as practicable" and "in any event at least 21 days before a scheduling conference is to be held." Fed. R. Civ. P. 26(f).

The parties conducted the planning conference on enter date. Enter names attended the conference.

2. Deadlines and Dates

The parties request these deadlines and dates:

Action or Event	Date
Deadline for Mandatory Initial Disclosures. <i>See</i> Fed. R. Civ. P. 26(a)(1).	Enter a date.
Deadline to Join a Party, <i>see</i> Fed. R. Civ. P. 14, 19, and 20, or amend the pleadings, <i>see</i> Fed. R. Civ. P. 15(a).	Enter a date.
Mid-discovery Status Conference. <i>Should be scheduled mid-way through the discovery period.</i> <i>Telephonic before Magistrate Judge Barch-Kuchta</i> <i>Report is due at least 14 days before the telephonic conference. Parties must file a motion to cancel conference if not needed.</i>	Report Due: Enter a date. Conference: Enter a date.
Deadline for Non-Expert Discovery and Filing Motion to Compel. <i>See</i> Fed. R. Civ. P. 37. (Case specific or 9 months from scheduling conference date)	Enter a date.
Plaintiff's Expert Disclosure Deadline. <i>See</i> Fed. R. Civ. P. 26(a)(2). (Generally 30 days after non-expert discovery deadline)	Enter a date.
Defendant's Expert Disclosing Deadline. (Generally the same date as Plaintiff or no more than 14 days after non-expert discovery deadline)	Enter a date.
Rebuttal Expert Disclosure Deadline. (Generally 30 days after initial expert disclosure)	Enter a date.
Expert Discovery Deadline. (Generally 30 days after rebuttal expert report)	Enter a date.
Deadline for Moving for Class Certification (if applicable). <i>See</i> Fed. R. Civ. P. 23(c).	Enter a date.
Deadline for Dispositive Motion. <i>See</i> Fed. R. Civ. P. 56. Generally 45 days after expert-discovery cut-off.	Enter a date.

Deadline to engage in settlement conference. <i>See</i> Local Rule 270, 271. Enter preference for private mediation, VDRP or by magistrate judge.	Enter a date.
Deadline for filing the joint final pretrial statement, any motions in limine, proposed jury instructions, and verdict form. <i>See</i> Local Rule 281. (Must be at least 14 days before the final pretrial conference.)	Enter a date.
Date of the final pretrial conference. <i>See</i> Fed. R. Civ. P. 16(e); <i>See</i> Local Rule 282. Judge Sherriff: (160 days after dispositive motion deadline) (The second or fourth Monday of the month—Tuesday if the Monday is a holiday—at 1:30 pm) Judge Thurston: (160 days after dispositive motion deadline) (Mondays at 1:30 pm) If consent, Judge Barch-Kuchta: (90 days after dispositive motion deadline) (Fridays at 9:00 am)	Enter a date.
Month, date, and year of the trial term. (Generally, 6 weeks after pre-trial conference) Judge Sherriff (Tuesdays at 8:30) Judge Thurston (Tuesdays at 8:30) Judge Barch-Kuchta (2 weeks after pretrial conference, Mondays at 8:30 am)	Enter a date.

The trial will last approximately enter number days and be

☐ jury.

☐ non-jury.

3. Disclosure Statement

☐ The parties have filed their disclosure statement as required by Federal Rule of Civil Procedure 7.1.

4. Related Action

☐ The parties acknowledge their continuing duty under Local Rule 123 to notify the judge of a related action pending in the Eastern District or elsewhere by filing a “Notice of a Related Action.” No notice is required if there are no related actions as defined by the rule.

5. Consent to a Magistrate Judge

The duties of a United States Magistrate Judge in the Eastern District are set forth in Local Rule 300-304. With the parties' consent, a District Judge can refer any civil matter to a magistrate judge for any or all proceedings, including a non-jury or jury trial. 28 U.S.C. § 636(c).

The Court asks the parties and counsel to consider the benefits to the parties and the Court for consenting to proceed before a magistrate judge. Consent can provide the parties certainty and flexibility in scheduling. **Consent is voluntary, and a party for any reason can decide not to consent and continue before the District Judge without adverse consequences.** See Fed. R. Civ. P. 73(b)(2).

☐ The parties do consent and file with this case management report a completed Form AO 85 "Notice, Consent, and Reference of a Civil Action to a Magistrate Judge," which is available on the Court's website under "Forms."

☐ The parties do not consent.

6. Discovery Practice

☐ The parties confirm they will comply with their duty to confer with the opposing party in a good faith effort to resolve any discovery dispute before filing a motion. See Local Rule 251.

7. Discovery Plan

A. The parties agree to the timing, form, or requirement for disclosures under Rule 26(a):

☐ Yes.

☐ No; instead, the parties agree to these changes: enter changes.

B. The Discovery may be needed on these subjects: list the subjects.

C. Discovery should be conducted in phases:

☐ No.

☐ Yes; describe the suggested phases.

D. Are there issues about disclosure, discovery, or preservation of electronically stored information?

☐ No.

☐ Yes; describe the issue(s).

E. ☐ The parties have considered privilege and work-product issues, including whether to ask the Court to include any agreement in an order under Federal Rule of Evidence 502(d).

F. The parties stipulate to changes to the limitations on discovery imposed under the Federal Rules of Civil Procedure and the Court's Local Rules or other limitations:

☐ No.

☐ Yes; describe the stipulation.

G. The parties anticipate the need for a Protective Order under Federal Rule of Civil Procedure 26(c) and Local Rule 141.1.

☐ No.

☐ Yes;

8. Certification of familiarity with the Local Rules

☐ The parties certify that they have read and are familiar with the Court's Local Rules.

9. Signatures

Add name of party or counsel
If counsel, add name of client
Add date of signature

Add name of party or counsel
If counsel, add name of client
Add date of signature

Add name of party or counsel
If counsel, add name of client
Add date of signature

Add name of party or counsel
If counsel, add name of client
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Add name of party or counsel
If counsel, add name of client
Add date of signature

Add name of party or counsel
If counsel, add name of client
Add date of signature

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

Raquel Balderas, et al.,

CASE NO: 1:26-CV-06898-HBK

vs.

SUMMONS IN A CIVIL CASE

County of Kern, et al.,

TO: (Defendant's Name and Address)

County of Kern, Kern Medical, Donny Youngblood

BY ORDER OF THE BD/SUPV

Referred To

County Counsel
60 pgs

Copies Furnished

Risk Management

Mailed

Date 9/11/26

Clerk of the Board of Supervisors

By Michelle [Signature], Deputy

YOU ARE HEREBY SUMMONED.

A lawsuit has been filed against you. Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff at the address below an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure and file the answer or motion with the Clerk of Court.

**Bryan James Harrison
Harrison Kristopher LLP
301 E. Colorado Blvd. Suite 323
Pasadena, CA 91101**

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint.

KEITH HOLLAND

CLERK

/s/ L. Bardon

(By) DEPUTY CLERK



ISSUED ON 2026-08-28 15:05:18
CLERK, USDC EDCA

RETURN OF SERVICE**Case No: 1:26-CV-06898-HBK**

NAME OF DEFENDANT SERVED	DATE OF SERVICE
NAME OF SERVER (<i>PRINT</i>)	TITLE

I served the Summons, Complaint, Mandatory Scheduling Order, Notice of Assignment to a United States Magistrate Judge and Declination of Consent form, and VDRP form.

Check one box below to indicate appropriate method of service:

- ☐ Served personally upon the defendant. Place where served: _____
- ☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.
- Name of person with whom the summons and complaint were left: _____
- ☐ Returned unexecuted: _____
- ☐ Other (specify): _____

STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
--------	----------	-------

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date

Signature of Server

Address of Server

NOTICE OF AVAILABILITY
VOLUNTARY DISPUTE RESOLUTION

Pursuant to the findings and directives of Congress in 28 U.S.C. §§ 651 *et seq.*, and in recognition of the economic burdens and delay in the resolution of disputes that can be imposed by full formal litigation, Local Rule 271 governs the referral of certain actions to the Voluntary Dispute Resolution Program ("VDRP") at the election of parties. Plaintiff or removing party is to provide all other parties with copies of the notice at the time service is effected or, for parties already served, no more than fourteen (14) days after receiving notice from the Court. After filing of the original complaint or removal action, any party who causes a new party to be joined in the action shall promptly serve a copy of the notice on the new party.

It is the Court's intention that the VDRP shall allow the participants to take advantage of a wide variety of alternative dispute resolution methods. These methods may include, but are not limited to, mediation, negotiation, early neutral evaluation and settlement facilitation. The specific method or methods employed will be determined by the Neutral and the parties.

PLEASE TAKE NOTICE that pursuant to Local Rule 271, *this Local Rule applies to* all civil actions pending before any District Judge or Magistrate Judge in the District except that actions in the following categories are exempt from presumptive inclusion: (i) prisoner petitions and actions, including habeas corpus petitions, (ii) actions in which one of the parties is appearing *pro se*, (iii) voting rights actions, (iv) social security actions, (v) deportation actions, (vi) Freedom of Information Act actions, and (vii) actions involving the constitutionality of federal, state or local statutes or ordinances. The fact that a case falls in a category that is exempt from the presumptive applicability of this Local Rule neither (1) precludes the parties to such a case from agreeing to participate in an Alternative Dispute Resolution ("ADR") process, nor (2) deprives the Court of authority to compel participation in an appropriate ADR proceeding.

Parties may elect Voluntary Dispute Resolution with the Court indicating that all parties to the action agree to submit the action to VDRP pursuant to Local Rule 271. Actions may not be assigned to VDRP over the objection of a party. (Copy of sample stipulation attached hereto.) **At the time of filing, a copy of the stipulation shall be provided to the VDRP Administrator designated below:**

Sacramento Cases
Voluntary Dispute Resolution
Program Administrator
United States District Court
501 "I" Street, Suite 4-200
Sacramento, CA 95814
(916) 930-4278

Fresno Cases
Voluntary Dispute Resolution
Program Administrator
United States District Court
2500 Tulare Street, Suite 1501
Fresno, CA 93721
(559) 499-5600

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

RAQUEL BALDERAS , ET AL.,

NO: 1:26-CV-06898-HBK

Plaintiff(s)

v.

**STIPULATION TO ELECT REFERRAL
OF ACTION TO VOLUNTARY DISPUTE
RESOLUTION PROGRAM (VDRP)
PURSUANT TO LOCAL RULE 271**

COUNTY OF KERN , ET AL.,

Defendant(s)

Pursuant to Local Rule 271, the parties hereby agree to submit the above-entitled action to
the Voluntary Dispute Resolution Program.

DATED: AUGUST 28, 2026

Name:
Attorney for Plaintiff(s)

Name:
Attorney for Defendant(s)

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**
(For Cases Initially Assigned to a Magistrate Judge)

RAQUEL BALDERAS, ET AL.,

Plaintiff,

vs.

COUNTY OF KERN, ET AL.,

Defendant.

Case No. 1:26-CV-06898-HBK

**NOTICE OF ASSIGNMENT TO A
UNITED STATES MAGISTRATE
JUDGE AND DECLINATION OF
CONSENT FORM**

In accordance with Eastern District of California Local Rule, Appendix A, you are notified that the above-entitled action has been assigned to a United States Magistrate Judge to conduct all proceedings in this case, including trial and entry of final judgment. You have the right to have a United States District Judge hear your case. Exercise of jurisdiction by a United States Magistrate Judge is permitted only if all parties consent to Magistrate Judge jurisdiction. Consenting to Magistrate Judge jurisdiction means that you waive the right to have a United States District Judge hear your case, and that a United States Magistrate Judge will take the place of a United States District Judge in all respects. No United States District Judge will supervise or review the work of the Magistrate Judge. An appeal from a judgment entered by a United States Magistrate Judge will be directly assigned to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of this District Court. 28 U.S.C. § 636(c); Fed. R. Civ. P. 73.

Consent to a Magistrate Judge is voluntary. You will be deemed to have knowingly and voluntarily consented to proceed before the assigned Magistrate Judge **UNLESS** you file a Declination of Consent form with the Court, a copy of which is part of this notice. No Judge will be informed of a party's response to this notification, and all filed Declination of Consent forms will not be viewable by the Judges. **Any party declining to proceed before a United States Magistrate Judge must sign the declination of consent form and file it with the Court within 30 days of receipt/service of this notice.** If a Declination of Consent form is timely filed, then a District Judge will be assigned to the case. If no party timely files a Declination of Consent form with the Court, a United States Magistrate Judge will conduct all proceedings in this case, including trial and entry of final judgment.

**DECLINATION OF CONSENT TO THE EXERCISE OF JURISDICTION BY A
UNITED STATES MAGISTRATE JUDGE**

Declination: In accordance with provisions of 28 U.S.C. § 636(c), Fed. R. Civ. P. 73, and Eastern District of California Local Rule, Appendix A, the undersigned party to this case declines consent to have a United States Magistrate Judge conduct all proceedings in this case.

Name of Party*

Signature of Party or Attorney

Date

Select one: ☐ Plaintiff/Petitioner ☐ Defendant/Respondent

*If representing more than one party, counsel must indicate the name of each party responding.

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

RAQUEL BALDERAS, ET AL.,

Plaintiff,

v.

COUNTY OF KERN, ET AL.,

Defendant.

Case No. 1:26-CV-06898-HBK

ORDER SETTING MANDATORY
SCHEDULING CONFERENCE

DATE: December 3, 2026

TIME: 10:00 AM

HELENA M. BARCH-KUCHTA
U.S. MAGISTRATE JUDGE

Rule 16(b) of the Federal Rules of Civil Procedure requires the Court to enter a Case Management and Scheduling Order "as soon as practicable." Therefore, it is ORDERED all parties shall appear at a telephonic Scheduling Conference (dial-in number: 1-888-204-5984; passcode: 4446176) before United States Magistrate Judge Helena M. Barch-Kuchta at the above time and date. Counsel shall appear for represented parties. An unrepresented party must appear personally.

The Court is unable to conduct the Scheduling Conference until the defendants have been served with the summons and complaint. Accordingly, plaintiff(s) shall diligently pursue service of summons and complaint and dismiss those defendant(s) against whom plaintiff(s) will not pursue claims. Plaintiff(s) shall complete service of summons and complaint consistent with Fed. R. Civ. P. 4 and promptly file proofs of service so the Court has a record of service. Failure to serve the summons and complaint timely may result in the imposition of sanctions, including the dismissal of unserved defendant(s).

of the defendant(s) are due. Accordingly, it is HEREBY ORDERED plaintiff(s) shall serve a copy of this Order on the defendant(s), or, if identified, on their counsel, **promptly** upon receipt of this Order, and to file an appropriate proof of such service with the Court, in compliance with Rule 135(a) of the Local Rules of Practice for the Eastern District of California.

Rule 26(f) Conference & Rule 26(f)(3) Discovery Plan

At least twenty-one (21) days prior to the Scheduling Conference, counsel for all parties shall conduct and conclude a conference at a time and place arranged by counsel for the plaintiff(s). This conference should preferably be a personal conference between all counsel but, due to the distances involved in this District, a telephonic or video conference call involving all counsel is permissible. Because the parties must employ the federal and local rules to secure the just, speedy, and inexpensive disposition of this action (*see* Fed. R. Civ. P. 1; 16(c)(2)(P), the parties must thoughtfully consider the proportional needs of this case given the claims, defenses, and other considerations in Rule 26(b)(1), and meaningfully discuss all issues identified in Rules 16(b)(3), 16(c)(2), 26(f)(2) and 26(f)(3)).

Discovery Relating to Electronic, Digital and/or Magnetic Data. Prior to a Fed. R. Civ. P. 26(f) conference, counsel should carefully investigate their client's information management system so that they are knowledgeable as to its operation, including how information is stored and how it can be retrieved. Likewise, counsel shall reasonably review the client's computer files to ascertain the contents thereof; including archival and legacy data (outdated formats or media), and disclose in initial discovery (self-executing routine discovery) the computer-based evidence which may be used to support claims or defenses.

(1) Duty to Notify. A party seeking discovery of computer-based information shall notify the opposing party immediately, but no later than the Fed. R. Civ. P. 26(f) conference, of that fact and identify as clearly as possible the categories of information which may be sought.

(2) Duty to Meet and Confer. The parties shall meet and confer regarding the following matters during the Fed. R. Civ. P. 26(f) conference:

////

a. Computer-based information (in general). Counsel shall attempt to agree on steps the parties will take to segregate and preserve computer-based information in order to avoid accusations of spoliation;

b. E-mail information. Counsel shall attempt to agree as to the scope of e-mail discovery and attempt to agree upon an e-mail search protocol. This should include an agreement regarding inadvertent production of privileged e-mail messages;

c. Deleted information. Counsel shall confer and attempt to agree whether or not restoration of deleted information may be necessary, the extent to which restoration of deleted information is needed, and who will bear the costs of restoration; and

d. Back-up data. Counsel shall attempt to agree whether or not back-up data may be necessary, the extent to which back-up data is needed and who will bear the cost of obtaining back-up data. The Joint Scheduling Report shall summarize the parties conference relating to discovery of electronic data.

Preparation of Joint Scheduling Report.¹ No later than two (2) full weeks prior to the Scheduling Conference the parties² shall file and e-mail the Joint Scheduling Report, in Word format, to: hbkorders@caed.uscourts.gov. The Joint Scheduling Report shall indicate the date and time of the Scheduling Conference opposite the caption on the first page of the Report. The Joint Scheduling Report shall include:

(1) A brief summary of the factual contentions (*e.g.*, uncontested and contested facts), and legal contentions (*e.g.*, disputed and undisputed positions, jurisdiction, and venue), set forth in the pleadings of each party, including the relief sought by any party presently before the Court.

////

////

¹A template in word of the Joint Scheduling Report is available on Judge Helena M. Barch-Kuchta's Chamber's Page under "Standard Forms."

²If a party refuses to participate in preparing the Joint Scheduling Report, the non-offending party shall detail the party's effort to get the offending party to participate. The non-offending party shall still file the report two (2) full weeks prior to the Scheduling Conference and list the non-offending party's proposed dates. Absent good cause presented by the offending party prior to the Scheduling Conference, the dates proposed by the non-offending party will be presumed to be the dates jointly offered by the parties. The offending party may be subject to sanctions, including monetary sanctions, to compensate the non-offending party's time and effort incurred in seeking compliance in drafting the Joint Scheduling Report.

components, and including agreed dates or specifying where there is a disagreement:

- a. Date for the exchange of Fed. R. Civ. P. 26(a)(1) initial disclosures or the date disclosures were completed;
- b. Proposed deadline for amendments to pleadings, and if an amendment is anticipated, a general description of the proposed amendment, *e.g.*, additional parties, adding/removing claims;
- c. Firm cut-off date for non-expert discovery;³
- d. Firm date for disclosure of expert witnesses as required by Fed. R. Civ. P. 26(a)(2), and a date for any supplemental expert disclosures;
- e. Firm cut-off date for expert witness discovery;
- f. Any proposed changes in the limits on discovery imposed by Fed. R. Civ. P. 26(b); 30(a)(2)(A), (B); 30(d); or 33(a);
- g. Whether the parties anticipate the need for a protective order relating to the discovery of information relating to HIPPA, a trade secret, or other confidential information, research, development, or commercial information;
- h. Any issues or proposals relating to the timing, sequencing, phasing, or scheduling of discovery;
- i. Whether the parties anticipate the need to take discovery outside the United States and, if so, a description of the proposed discovery;
- j. Whether any party anticipates video and/or sound recording of depositions;
- k. Date for filing non-dispositive and dispositive pre-trial motions, with the understanding that motions (except motions *in limine* or other trial motions) will not be entertained after the agreed upon date;
- l. Pre-trial conference date; and
- m. Trial date.

³ The Court follows the rule that the completion date means that all discovery must be finished by the deadline set in the Rule 16 Case Management and Scheduling Order. Motions to compel filed after the discovery deadline are presumptively untimely and may be denied on that basis alone.

Report and engaging in extensive discovery. Even if settlement negotiations are progressing, the parties must comply with the requirements of this Order unless otherwise excused by the Court because the entire case has settled.⁴ This Court's local rules require a settlement conference to be held in all actions unless otherwise ordered by the Court. The parties shall state in the Joint Scheduling Report whether they desire to participate in private mediation, the Court's VDRP, or a settlement conference before a Magistrate Judge, and state whether such settlement option will occur before engaging in discovery, after discovery, or after pre-trial motions, etc. E.D. Cal. L.R. 270, 271.

(4) The parties shall indicate whether the case is to proceed to a jury or bench trial and provide an estimate of the number of trial days required. If the parties disagree as to whether a jury trial has been timely demanded or whether one is available on some or all of the claims, the statement shall include a summary of each party's position.

(5) An estimate of the number of trial days required. If the parties cannot agree to the number of days, each party shall give their best estimate. In estimating the number of trial days, the parties should keep in mind that this Court is normally able to devote the entire day to trial.

(6) The case opening documents in this action include important information and a form regarding consent/decline to magistrate judge jurisdiction, or in the case of actions assigned pursuant to Appendix A of the Local Rules, a form to opt-out of magistrate judge jurisdiction. Unless this action is assigned pursuant to Appendix A of the Local Rules, the parties are required to consider whether they will consent to the jurisdiction of a Magistrate Judge pursuant to 28 U.S.C section 636(c). **Except in the event this case is assigned pursuant to Appendix A of the Local Rules, the parties must file completed consent/decline forms no later than the date for filing the Joint Scheduling Report (i.e., two weeks in advance of the Scheduling Conference).** All discovery and non-dispositive motions are routinely heard by the Magistrate Judge whether the parties consent.

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⁴If the entire case is settled prior to the Scheduling Conference, the parties must immediately notify the Court. See E.D. Cal. L.R. 160. The Court will vacate the Scheduling Conference.

counsel for the removing party shall serve the Complaint, Notice of Removal, Summons, Notice of Assignment to a United States Magistrate Judge and Declination of Consent Form, and a copy of this order upon all opposing parties and all parties who have made an appearance in the originating jurisdiction, and shall file by that same deadline a proof of service of the civil case opening documents noted above.

(8) Transfer Cases. Upon transfer, counsel for plaintiff shall serve the Complaint, Notice of Removal (if applicable), Summons, Notice of Assignment to a United States Magistrate Judge and Declination of Consent Form, and all other new case documents upon all parties who have not yet made an appearance in the originating jurisdiction. If Plaintiff wishes to have a summons issued for any unserved defendant(s) in this action, Plaintiff must contact the Clerk's Office for issuance.

(9) The parties shall state whether either party requests bifurcation, or phasing of trial, or has any other suggestion for shortening or expediting discovery, pre-trial motions, or trial.

(10) The parties shall state whether this matter is related to any matter pending in this Court or any other court, including bankruptcy court. E.D. Cal. L.R. 123.

(11) Unless a party justifies an express objection in the Joint Scheduling Report to service of discovery by e-mail, the Court considers all parties to have expressly consented to service of discovery by e-mail and shall specifically identify the e-mail addresses or electronic service accounts to be used. Fed. R. Civ. P. 5(b)(2)(E).

Timing of the Mandatory Scheduling Conference

The Scheduling Conference is set at the time the Clerk issues summons in this action. The Court is mindful that in some situations the case is not procedurally in the posture for the date and time set for the Scheduling Conference. Such situations include, but are not limited to, those in which all defendant(s) have not yet been served or have not filed an answer to the complaint, the defendant has defaulted, or where there is a pending motion to dismiss and/or motion to remand (in removal actions). If such circumstances exist, the parties should inform the Court prior to the Joint Scheduling Report filing deadline if they wish to continue the Scheduling Conference.

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2 an earlier date for the Scheduling Conference and have already filed their Joint Report.

3 ***Important Chambers' Information***

4 The parties are directed to the Court's website at www.caed.uscourts.gov for specific
5 information regarding court procedures. Specific information for Magistrate Judge Helena M. Barch-
6 Kuchta can be found by selecting "U.S. Magistrate Judge Helena M. Barch-Kuchta" from the "Judge"
7 and "all Judges" tab and then selecting "Civil Procedures" under the "Case Management Procedures"
8 heading. A template in word of the Joint Scheduling Report is available on Judge Helena M. Barch-
9 Kuchta's Chamber's Page under "Standard Forms."

10 **Should counsel or a party appearing pro se fail to appear at the Mandatory**
11 **Scheduling Conference or otherwise fail to comply with the directions as set forth above, an**
12 **ex parte hearing may be held and contempt sanctions, including monetary sanctions,**
13 **dismissal, default judgment, or other appropriate sanctions, may be ordered.**

14 DATED: August 28, 2026

15 
16 HELENA M. BARCH-KUCHTA
17 UNITED STATES MAGISTRATE JUDGE
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CIVIL COVER SHEET

Case 1:26-at-03261 Document 1-1 Filed 08/28/26 Page 1 of 1

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

RAQUEL BALDERAS, ANGELA SALAS, ANDRES BALDERAS, VINCENT BALDERAS, and RAYMOND BALDERAS, JR., individually and as Successors-in-Interest to RAYMOND VASQUEZ BALDERAS, Deceased,

(b) County of Residence of First Listed Plaintiff

(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Bryan Harrison (SBN 277312); (866) 529-6155

Harrison Kristopher, LLP

301 E Colorado Blvd Ste 323

Pasadena CA 91101-1976

Phone: (866) 529-6155

Hossein Khatami (SBN 278350)

Hoss Law, APC

4190 Douglas Blvd Ste 400

Granite Bay CA 95746-5918

Phone: (916) 788-4445

DEFENDANTS

COUNTY OF KERN; KERN MEDICAL; DONNY YOUNGBLOOD, individually and in his official capacity as Sheriff of Kern County; and DOES 1 through 50, inclusive,

County of Residence of First Listed Defendant Kern

(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

☐ 1 U.S. Government Plaintiff☒ 3 Federal Question
(U.S. Government Not a Party)☐ 2 U.S. Government Defendant☐ 4 Diversity
(Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	☐ 1	☐ 1	Incorporated or Principal Place of Business In This State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☐ 2	Incorporated and Principal Place of Business In Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
☐ 110 Insurance ☐ 120 Marine ☐ 130 Miller Act ☐ 140 Negotiable Instrument ☐ 150 Recovery of Overpayment & Enforcement of Judgment ☐ 151 Medicare Act ☐ 152 Recovery of Defaulted Student Loans (Excludes Veterans) ☐ 153 Recovery of Overpayment of Veteran's Benefits ☐ 160 Stockholders' Suits ☐ 190 Other Contract ☐ 195 Contract Product Liability ☐ 196 Franchise	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel & Slander ☐ 330 Federal Employers' Liability ☐ 340 Marine ☐ 345 Marine Product Liability ☐ 350 Motor Vehicle ☐ 355 Motor Vehicle Product Liability ☐ 360 Other Personal Injury ☐ 362 Personal Injury - Medical Malpractice PERSONAL INJURY ☐ 365 Personal Injury - Product Liability ☐ 367 Health Care/Pharmaceutical Personal Injury Product Liability ☐ 368 Asbestos Personal Injury Product Liability PERSONAL PROPERTY ☐ 370 Other Fraud ☐ 371 Truth in Lending ☐ 380 Other Personal Property Damage ☐ 385 Property Damage Product Liability	☐ 625 Drug Related Seizure of Property 21 USC 881 ☐ 690 Other LABOR ☐ 710 Fair Labor Standards Act ☐ 720 Labor/Management Relations ☐ 740 Railway Labor Act ☐ 751 Family and Medical Leave Act ☐ 790 Other Labor Litigation ☐ 791 Employee Retirement Income Security Act IMMIGRATION ☐ 462 Naturalization Application ☐ 465 Other Immigration Actions	☐ 422 Appeal 28 USC 158 ☐ 423 Withdrawal 28 USC 157 INTELLECTUAL PROPERTY RIGHTS ☐ 820 Copyrights ☐ 830 Patent ☐ 835 Patent - Abbreviated New Drug Application ☐ 840 Trademark ☐ 880 Defend Trade Secrets Act of 2016 SOCIAL SECURITY ☐ 861 HIA (1395ff) ☐ 862 Black Lung (923) ☐ 863 DIWC/DIWW (405(g)) ☐ 864 SSID Title XVI ☐ 865 RSI (405(g)) FEDERAL TAX SUITS ☐ 870 Taxes (U.S. Plaintiff or Defendant) ☐ 871 IRS—Third Party 26 USC 7609	☐ 375 False Claims Act ☐ 376 Qui Tam (31 USC 3729(a)) ☐ 400 State Reapportionment ☐ 410 Antitrust ☐ 430 Banks and Banking ☐ 450 Commerce ☐ 460 Deportation ☐ 470 Racketeer Influenced and Corrupt Organizations ☐ 480 Consumer Credit (15 USC 1681 or 1692) ☐ 485 Telephone Consumer Protection Act ☐ 490 Cable/Sat TV ☐ 850 Securities/Commodities/Exchange ☐ 890 Other Statutory Actions ☐ 891 Agricultural Acts ☐ 893 Environmental Matters ☐ 895 Freedom of Information Act ☐ 896 Arbitration ☐ 899 Administrative Procedure Act/Review or Appeal of Agency Decision ☐ 950 Constitutionality of State Statutes
REAL PROPERTY ☐ 210 Land Condemnation ☐ 220 Foreclosure ☐ 230 Rent Lease & Ejectment ☐ 240 Torts to Land ☐ 245 Tort Product Liability ☐ 290 All Other Real Property	CIVIL RIGHTS ☒ 440 Other Civil Rights ☐ 441 Voting ☐ 442 Employment ☐ 443 Housing/Accommodations ☐ 445 Amer. w/Disabilities - Employment ☐ 446 Amer. w/Disabilities - Other ☐ 448 Education PRISONER PETITIONS Habeas Corpus: ☐ 463 Alien Detainee ☐ 510 Motions to Vacate Sentence ☐ 530 General ☐ 535 Death Penalty Other: ☐ 540 Mandamus & Other ☐ 550 Civil Rights ☐ 555 Prison Condition ☐ 560 Civil Detainee - Conditions of Confinement			

V. ORIGIN (Place an "X" in One Box Only)

☒ 1 Original Proceeding	☐ 2 Removed from State Court	☐ 3 Remanded from Appellate Court	☐ 4 Reinstated or Reopened	☐ 5 Transferred from Another District (specify)	☐ 6 Multidistrict Litigation - Transfer	☐ 8 Multidistrict Litigation - Direct File
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VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 USC § 1983; Fourteenth Amendment to the United States Constitution; Monell Municipal Liability

Brief description of cause:

Failure to Protect; Deliberate Indifference to Serious Medical Needs; Monell Municipal Liability; Supervisory Liability

VII. REQUESTED IN COMPLAINT:

☐ CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P.DEMAND \$
\$30,000,000CHECK YES only if demanded in complaint:
JURY DEMAND: ☒ Yes ☐ No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE

DOCKET NUMBER

DATE

SIGNATURE OF ATTORNEY OF RECORD

August 28, 2026

FOR OFFICE USE ONLY

RECEIPT #

AMOUNT

APPLYING IFP

JUDGE

MAG. JUDGE

1 BRYAN J. HARRISON, ESQ. (SBN 277312)

Bryan@b-klaw.com

2 EDI P. KRISTOPHER, ESQ. (SBN 284833)

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7 Granite Bay CA 95746-5918

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9 Attorneys for Plaintiffs, RAQUEL BALDERAS,

ANGELA SALAS, ANDRES BALDERAS,

10 VINCENT BALDERAS, and RAYMOND

BALDERAS, JR., individually and as

11 Successors-in-Interest to RAYMOND VASQUEZ

BALDERAS, Deceased

12
13 **UNITED STATES DISTRICT COURT**

14 **EASTERN DISTRICT OF CALIFORNIA**

15 **FRESNO DIVISION**

16 RAQUEL BALDERAS, ANGELA SALAS,
ANDRES BALDERAS, VINCENT
17 BALDERAS, and RAYMOND BALDERAS,
JR., individually and as Successors-in-Interest
18 to RAYMOND VASQUEZ BALDERAS,
Deceased,

19 Plaintiffs,

20 v.

21 COUNTY OF KERN; KERN MEDICAL;
22 DONNY YOUNGBLOOD, individually and
in his official capacity as Sheriff of Kern
23 County; and DOES 1 through 50, inclusive,

24 Defendants.

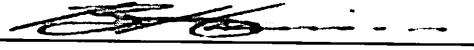
Case No.:

**PLAINTIFFS' DISCLOSURE
STATEMENT AND
CERTIFICATION OF INTERESTED
ENTITIES OR PERSONS,
PURSUANT TO FEDERAL RULES
OF CIVIL PROCEDURE, RULE 7.1**

1 Pursuant to Federal Rules of Civil Procedure, rule 7.1, counsel for Plaintiffs certifies
2 that as of this date, other than the named parties, there is no such interest to report.

3 Respectfully submitted this 28th day of August, 2026, by
4

5 **HARRISON | KRISTOPHER, LLP**
6

7 

8 Bryan J. Harrison, Esq.,
9 Attorney for Plaintiffs, RAQUEL BALDERAS,
10 ANGELA SALAS, ANDRÉS BALDERAS,
11 VINCENT BALDERAS, and RAYMOND
12 BALDERAS, JR., individually and as Successors-
13 in-Interest to RAYMOND VASQUEZ
14 BALDERAS, Deceased
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ANGELA SALAS, ANDRES BALDERAS,
10 VINCENT BALDERAS, and RAYMOND
BALDERAS, JR., individually and as
11 Successors-in-Interest to RAYMOND VASQUEZ
BALDERAS, Deceased

12
13 **UNITED STATES DISTRICT COURT**
14 **EASTERN DISTRICT OF CALIFORNIA**
15 **FRESNO DIVISION**

16 RAQUEL BALDERAS, ANGELA SALAS,
ANDRES BALDERAS, VINCENT
17 BALDERAS, and RAYMOND BALDERAS,
JR., individually and as Successors-in-Interest
18 to RAYMOND VASQUEZ BALDERAS,
Deceased,

19 Plaintiffs,

20 v.

21 COUNTY OF KERN; KERN MEDICAL;
22 DONNY YOUNGBLOOD, individually and
in his official capacity as Sheriff of Kern
23 County; and DOES 1 through 50, inclusive,

24 Defendants.

Case No.:

**COMPLAINT FOR DAMAGES AND
DECLARATORY RELIEF:**

- 1) 42 U.S.C. § 1983 (Fourteenth Amendment - Failure to Protect)
- 2) 42 U.S.C. § 1983 (Fourteenth Amendment - Medical Care)
- 3) 42 U.S.C. § 1983 (*Monell* Municipal Liability)
- 4) California Gov. Code, § 845.6
- 5) Medical Negligence
- 6) Negligence (Gov. Code, §§ 815.2, 820)
- 7) Wrongful Death (Code Civ. Proc., § 377.60)
- 8) Survival Action (Code Civ. Proc., § 377.30)
- 9) Tom Bane Civil Rights Act (Civ. Code, § 52.1)
- 10) 42 U.S.C. § 1983 (Supervisory Liability)

DEMAND FOR TRIAL BY JURY

1 COME NOW Plaintiffs Raquel Balderas, Angela Salas, Andres Balderas, Vincent
2 Balderas, and Raymond Balderas, Jr., individually and as Successors-in-Interest to Raymond
3 Vasquez Balderas, Deceased, by and through their attorneys of record,
4 Harrison | Kristopher, LLP, and hereby complain and allege as follows:

5 **INTRODUCTION**

6 1. This civil rights action arises from the preventable death of Raymond Vasquez
7 Balderas, a 60-year-old pre-trial detainee who died from acute fentanyl and buprenorphine
8 toxicity while in the custody of the Kern County Sheriff's Office at the Lerdo Pre-Trial
9 Facility in Bakersfield. Mr. Balderas was a known daily fentanyl user who disclosed his drug
10 use during intake and was placed on medication-assisted treatment for opioid dependency.
11 Despite the jail's actual knowledge of his heightened vulnerability, fentanyl was allowed to
12 circulate within the facility, and Mr. Balderas obtained and ingested it. When he overdosed,
13 jail staff failed to discover his condition for hours, and he died the following morning. The
14 Kern County Coroner ruled the manner of death accidental.

15 2. This case centers on a convergence of known risk factors and a failure to act:
16 Defendants knew Mr. Balderas was a daily fentanyl user on medication-assisted treatment.
17 Defendants knew fentanyl had killed an inmate at the same facility just thirteen months
18 earlier. And yet Defendants housed Mr. Balderas in general population without enhanced
19 monitoring, failed to conduct meaningful welfare checks, failed to discover his overdose for
20 hours even as his cellmate identified the emergency and contacted family, and failed to
21 provide the timely naloxone intervention that could have saved his life.

22 3. Mr. Balderas' death fits a documented pattern at the Lerdo Pre-Trial Facility.
23 On July 28, 2024, Courtney Easley, age 28, died from fentanyl intoxication at the same
24 facility. On August 15, 2025 – eleven days before Mr. Balderas died – a 61-year-old inmate
25 was found unresponsive during a routine check at Lerdo. On September 7, 2025, twelve days
26 after Mr. Balderas died, 34-year-old Frank Robert Miller died following a medical emergency
27 at Lerdo. Each of these deaths involved delayed discovery of medical distress or inadequate
28 monitoring of high-risk detainees.

1 4. The culture of delayed medical response at Kern County's detention facilities
2 is documented in prior litigation and through the firsthand experience of Mr. Balderas' own
3 family members who have been incarcerated there. Plaintiff Andres Balderas experienced
4 delays of approximately two months in receiving treatment for painful medical conditions
5 during his incarceration, forcing him to obtain medication from other inmates. This pattern
6 of delayed care contributed directly to Mr. Balderas' death.

7 **JURISDICTION AND VENUE**

8 5. This Court has original federal question jurisdiction pursuant to sections 1331
9 and 1343 of title 28 of the United States Code because this action arises under section 1983
10 of title 42 of the United States Code and the Fourteenth Amendment to the United States
11 Constitution.

12 6. This Court has supplemental jurisdiction over Plaintiffs' state law claims
13 pursuant to section 1367 of title 28 of the United States Code because their state law claims
14 arise from the same case or controversy as the federal claims and are so related that they
15 form part of the same case.

16 7. Venue is proper in this District pursuant to section 1391(b) of title 28 of the
17 United States code because the events giving rise to this action occurred in Kern County,
18 California, which is within the Eastern District of California.

19 8. Venue is proper in the Fresno Division of this District pursuant to the United
20 States District Court's Local Rules for the Eastern District of California, rule 120(d), because
21 Kern County is within the Fresno Division.

22 **PARTIES**

23 ***Plaintiffs***

24 9. Plaintiff Raquel Balderas is an individual and an adult daughter of Decedent
25 Raymond Vasquez Balderas. She is a resident of the State of California. Ms. Balderas was her
26 father's designated payee for disability benefits and was in regular contact with him during
27 his incarceration. She brings this action individually and as a Successor-in-Interest to
28 Decedent pursuant to California Code of Civil Procedure section 377.30.

1 10. Plaintiff Angela Salas is an individual and an adult daughter of Decedent
2 Raymond Vasquez Balderas. She is a resident of the State of California. Ms. Salas brings this
3 action individually and as a Successor-in-Interest to Decedent pursuant to California Code of
4 Civil Procedure section 377.30.

5 11. Plaintiff Andres Balderas is an individual and an adult son of Decedent
6 Raymond Vasquez Balderas. He is a resident of the State of California. Mr. Andres Balderas
7 brings this action individually and as a Successor-in-Interest to Decedent pursuant to
8 California Code of Civil Procedure section 377.30.

9 12. Plaintiff Vincent Balderas is an individual and an adult son of Decedent
10 Raymond Vasquez Balderas. He is a resident of the State of California. Mr. Vincent Balderas
11 brings this action individually and as a Successor-in-Interest to Defendant pursuant to
12 California Code of Civil Procedure section 377.30.

13 13. Plaintiff Raymond Balderas, Jr., is an individual and the adult son of Decedent
14 Raymond Vasquez Balderas. He is believed to be a resident of the State of California. Mr.
15 Raymond Balderas, Jr., brings this action individually and as a Successor-in-Interest to
16 Decedent pursuant to California Code of Civil Procedure section 377.30.

17 14. Decedent Raymond Vasquez Balderas was 60 years old at the time of his
18 death. He was survived by his five (5) adult children: Raquel Balderas, Angela Salas, Andres
19 Balderas, Vincent Balderas, and Raymond Balderas, Jr. Mr. Balderas was previously married
20 to Fedora Pelle Gutierrez. The couple married on February 28, 1986, and divorced on
21 August 28, 2000. At the time of his death, Mr. Balderas had no surviving spouse, registered
22 domestic partner, or putative spouse. Plaintiffs constitute all persons entitled to bring a
23 wrongful death action pursuant to California Code of Civil Procedure section 377.60. No
24 other heirs exist who hold a right to recovery under section 377.60.

25 ***Defendants***

26 15. Defendant County of Kern ("County") is a political subdivision of the State of
27 California. The County owns, operates, and maintains the Lerdo Pre-Trial Facility, located at
28 17801 Industrial Farm Road, in Bakersfield, California 93308, through the Kern County

1 Sheriff's Office. The County is responsible for the policies, practices, customs, and training
2 of its employees, including those who work at the Lerdo Pre-Trial Facility. In California
3 county jails, medical care is a county function, even when delivered through departments or
4 affiliated entities such as Kern Medical. The County is sued as a municipal entity pursuant to
5 *Monell v. Department of Social Services* (1978), 436 U.S. 658, and is liable for constitutional
6 violations resulting from its policies, practices, customs, and failures to train.

7 16. Defendant Kern Medical, also known as Kern Medical Center, is a county-
8 owned hospital authority that provides clinical medical services to inmates housed at Kern
9 County detention facilities, including the Lerdo Pre-Trial Facility. Kern Medical, through its
10 physicians, nurses, and other medical personnel, was responsible for the medical care and
11 monitoring of Mr. Balderas during his incarceration, including intake medical screening,
12 assessment of his opioid use disorder, prescription and management of his buprenorphine
13 treatment, and ongoing medical monitoring. Kern Medical is a proper defendant separate
14 from the County of Kern for claims arising from its provision of clinical services. Kern
15 Medical is sued for deliberate indifference to Mr. Balderas' serious medical needs under
16 section 1983 of title 42 of the United States Code and for medical negligence under
17 California law.

18 17. Defendant Donny Youngblood is sued in his individual and official capacities
19 as Sheriff of Kern County. Sheriff Youngblood is the chief law enforcement officer of Kern
20 County and is responsible for the operation, management, policies, and practices of the Kern
21 County Sheriff's Office and its detention facilities, including the Lerdo Pre-Trial Facility. As
22 Sheriff, Defendant Youngblood is the final policymaker for the County with respect to law
23 enforcement and operations of the County's detention facilities. Sheriff Youngblood has
24 served as Kern County Sheriff since 2006 and has been on notice of fentanyl infiltration and
25 overdose deaths at the Lerdo Pre-Trial Facility, including the death in July 2024 of Courtney
26 Easley. Despite this notice, Sheriff Youngblood failed to implement adequate monitoring
27 protocols for high-risk detainees or drug interdiction measures sufficient to prevent Mr.
28

1 Balderas' death. Sheriff Youngblood is sued in his official capacity for policy and practice
2 claims and in his individual capacity for supervisory liability.

3 18. The true names and capacities of Defendants sued herein as DOES 1 through
4 25, inclusive, are presently unknown to Plaintiffs. Plaintiffs are informed and believe, and
5 thereon allege, that DOES 1 through 25 are medical personnel responsible for the medical
6 care, monitoring, and treatment of Mr. Balderas, including but not limited to:

- 7 (a) Intake medical screening nurses and personnel who conducted or should
8 have conducted the initial medical assessment of Mr. Balderas upon
9 booking, including screening for substance use disorders and opioid
10 dependency;
- 11 (b) Registered nurses (RN's) and licensed vocational nurses (LVN's)
12 assigned to Mr. Balderas' housing unit or responsible for medication
13 administration, vital sign monitoring, and welfare assessments;
- 14 (c) Physicians and mid-level providers (physician assistants, nurse
15 practitioners) who prescribed buprenorphine, developed or should have
16 developed his treatment plan, and were responsible for ongoing medical
17 oversight of a patient on medication-assisted treatment;
- 18 (d) Medical supervisors responsible for ensuring adequate staffing,
19 protocols, and oversight of medical care at the Lerdo Pre-Trial Facility;
- 20 (e) Any other medical personnel who had contact with Mr. Balderas or
21 responsibility for his medical care during his incarceration.

22 These Medical Doe Defendants are critical to this action because fentanyl and
23 buprenorphine toxicity cases often turn on failures to identify opioid use at intake, failures to
24 implement appropriate monitoring protocols for medication-assisted treatment patients, and
25 failures to recognize and respond to overdose symptoms. Plaintiffs will seek early discovery
26 to identify these defendants.

27 19. The true names and capacities of Defendants sued herein as DOES 26
28 through 50, inclusive, are presently unknown to Plaintiffs. Plaintiffs are informed and

1 believe, and thereon allege, that DOES 26 through 50 are custody personnel responsible for
2 the supervision, monitoring, and welfare of Mr. Balderas, including but not limited to:

- 3 (a) Sheriff's deputies assigned to Mr. Balderas' housing unit who were
4 responsible for conducting welfare checks, observing inmates for signs
5 of medical distress, and summoning medical care when needed;
- 6 (b) Classification officers who determined Mr. Balderas' housing assignment
7 and risk classification, including any assessment of his medical needs and
8 vulnerability;
- 9 (c) Intake and booking officers who processed Mr. Balderas upon his arrest
10 and had the first opportunity to identify and document his substance use
11 history and medical needs;
- 12 (d) Supervisory custody staff, including sergeants, lieutenants, and watch
13 commanders, responsible for ensuring that welfare checks were
14 conducted properly and that deputies summoned medical care when
15 indicated;
- 16 (e) Any other custody personnel who had contact with Mr. Balderas,
17 responsibility for his supervision, or who observed or should have
18 observed signs of his medical distress on August 25, 2025.

19 These Custody Doe Defendants are critical because deputies are often the first to observe
20 symptoms of medical distress, are responsible for conducting welfare checks, and have an
21 independent duty to summon medical care when they know or have reason to know an
22 inmate needs immediate medical attention. The fact that Mr. Balderas' cellmate identified his
23 overdose and contacted family members before custody staff discovered him demonstrates
24 that the signs of distress were obvious to a layperson but missed by those charged with his
25 protection. Plaintiffs will seek early discovery to identify these defendants.

26 20. Plaintiffs are informed and believe, and thereon allege, that at all times
27 relevant hereto, each Defendant was the agent, servant, employee, partner, joint venturer, or
28 alter ego of each of the remaining Defendants, and in doing the acts alleged herein, was

1 acting within the course and scope of such agency, service, employment, partnership, joint
2 venture, or other relationship.

3 **FACTUAL ALLEGATIONS**

4 ***Raymond Balderas' Background and Medical History***

5 21. Raymond Vasquez Balderas was a 60-year-old man with a documented history
6 of daily fentanyl use. Mr. Balderas smoked fentanyl on a daily basis and had developed a high
7 tolerance for the drug over time. His addiction was known to his family.

8 22. Prior to his incarceration, Mr. Balderas had experienced a recent cardiac event,
9 believed to be a mild stroke, for which he was treated at a cardiac care facility earlier in 2025.
10 This pre-existing cardiac condition made him particularly vulnerable to the physiological
11 stress of opioid withdrawal and to the respiratory depression caused by opioid overdose.

12 23. Mr. Balderas was receiving disability benefits, for which his daughter Raquel
13 served as his designated payee. Despite his struggles with addiction, Mr. Balderas maintained
14 regular contact with his children.

15 ***Raymond Balderas' Incarceration and Known Risk Factors***

16 24. On or about August 6, 2025, Raymond Vasquez Balderas was arrested and
17 booked into the custody of the Kern County Sheriff's Office. He was assigned booking
18 number 2405846 and housed at the Lerdo Pre-Trial Facility as a pre-trial detainee.

19 25. Mr. Balderas was charged with possession of hard drugs with two prior
20 convictions, possession of controlled substance paraphernalia, riding a bicycle on the wrong
21 side of the roadway, and riding a bicycle during darkness without proper lighting or
22 reflectors.

23 26. Mr. Balderas disclosed his daily fentanyl use to jail medical staff during the
24 intake screening process. This disclosure is corroborated by the fact that jail medical staff
25 subsequently prescribed buprenorphine, an opioid partial agonist used to treat opioid use
26 disorder, which is prescribed only after a patient's opioid dependency has been documented
27 and assessed. This disclosure put Defendants on actual notice of Mr. Balderas' serious opioid
28

1 dependency, his high tolerance for opioids, and his significant risk for both withdrawal
2 complications and overdose if exposed to opioids.

3 27. Because of his known addiction and risk of withdrawal, jail medical staff
4 prescribed Mr. Balderas buprenorphine. Buprenorphine is a Schedule III controlled
5 substance that requires careful medical supervision and indicates significant opioid
6 dependency in the patient.

7 28. The prescription of buprenorphine is a clear indicator that jail staff had actual
8 knowledge of Mr. Balderas' serious opioid dependency, his heightened vulnerability to
9 opioid-related harm, and his need for close medical monitoring. Patients on buprenorphine
10 are at particular risk if they access other opioids, as the combination of buprenorphine with
11 full opioid agonists such as fentanyl can cause lethal respiratory depression.

12 29. Despite his documented high-risk status, his known pre-existing cardiac
13 condition, and the known dangers of opioid access for patients on medication-assisted
14 treatment, Mr. Balderas was housed in general population at the Lerdo Pre-Trial Facility
15 without enhanced monitoring, without placement in a specialized housing unit, without any
16 individualized safety plan, and without adequate safeguards to prevent his access to illicit
17 drugs.

18 ***Contact with Family During Incarceration***

19 30. During his approximately two weeks of incarceration prior to his death, Mr.
20 Balderas was in contact with his daughter, Raquel Balderas.

21 31. During these communications, Mr. Balderas did not complain of severe
22 withdrawal symptoms to Raquel. This fact, combined with his known history of daily
23 fentanyl use and high tolerance, supports the inference that Mr. Balderas may have had
24 access to opioids within the facility.

25 ***Fentanyl Infiltration at the Lerdo Pre-Trial Facility***

26 32. Fentanyl is a synthetic opioid approximately fifty (50) times more potent than
27 heroin and one hundred (100) times more potent than morphine. It is lethal in minute
28 quantities; as little as two milligrams can cause death in an adult.

1 33. The Lerdo Pre-Trial Facility is a controlled, custodial environment operated
2 by the Kern County Sheriff's Office with a maximum capacity of 1,232 inmates. As the
3 operator of this facility, the County is responsible for preventing the introduction and
4 circulation of contraband, including illegal drugs.

5 34. Despite this responsibility, fentanyl infiltrated the Lerdo Pre-Trial Facility and
6 caused preventable deaths. On July 28, 2024, just thirteen months before Mr. Balderas'
7 death, Courtney Easley, a 28-year-old woman, died from fentanyl intoxication at the Lerdo
8 Pre-Trial Facility. Ms. Easley's death put Defendants on direct notice that fentanyl was
9 accessible to inmates at Lerdo and that their drug interdiction measures were inadequate.

10 35. Despite this notice, Defendants failed to implement adequate reforms to
11 prevent fentanyl from entering the facility or to enhance monitoring of high-risk inmates
12 such as those receiving medication-assisted treatment.

13 ***The Overdose, Delayed Discovery, and Failure to Intervene***

14 36. On or about August 25, 2025, approximately two weeks after his arrest, Mr.
15 Balderas obtained and ingested fentanyl while housed at the Lerdo Pre-Trial Facility. The
16 fact that a pre-trial detainee was able to access fentanyl inside a county jail demonstrates a
17 failure of Defendants' drug interdiction and monitoring protocols.

18 37. Upon information and belief, Mr. Balderas overdosed earlier in the day on
19 August 25, 2025, well before jail staff discovered him in medical distress.

20 38. On August 25, 2025, Mr. Balderas' cellmate contacted Mr. Balderas' family by
21 telephone and informed them that Mr. Balderas had overdosed earlier in the day. The fact
22 that a cellmate was aware of the overdose before jail staff discovered it demonstrates that the
23 signs of Mr. Balderas' medical distress were obvious to a layperson.

24 39. Upon receiving this alarming information, Mr. Balderas' daughter, Raquel
25 Balderas, immediately attempted to contact the Lerdo Pre-Trial Facility to obtain
26 information about her father's condition and to ensure he was receiving medical care.
27 Despite her urgent efforts, she was repeatedly transferred between different departments and
28 was unable to obtain any information about her father's status.

1 40. Jail staff did not discover Mr. Balderas in medical distress until approximately
2 4:00 p.m. on August 25, 2025. Upon information and belief, this was hours after Mr.
3 Balderas actually overdosed and hours after his cellmate had already notified family
4 members.

5 41. Upon information and belief, the Lerdo Pre-Trial Facility policy and California
6 regulations (Cal. Code Regs., tit. 15, § 1027) required custody staff to conduct safety and
7 welfare checks of all inmates at regular intervals, no less frequently than once per hour, and
8 more frequently for inmates with identified medical needs.

9 42. Upon information and belief, during the hours between Mr. Balderas'
10 overdose and his discovery at approximately 4:00 p.m., custody staff either: (a) Failed to
11 conduct the required welfare checks; (b) conducted welfare checks that consisted of corridor
12 observations rather than direct-view checks sufficient to identify signs of medical distress, in
13 violation of constitutional standards; or, (c) conducted checks but failed to identify obvious
14 signs of opioid overdose, including respiratory depression, loss of consciousness, or
15 cyanosis.

16 43. The fact that Mr. Balderas' cellmate was able to identify the overdose and
17 contact family members by telephone before jail staff discovered the emergency
18 demonstrates that the signs of Mr. Balderas' medical distress would have been apparent to
19 any staff member who conducted a meaningful, direct-view welfare check.

20 44. Following discovery, Mr. Balderas was transported to Kern Medical hospital.
21 Despite medical intervention, he was pronounced dead at approximately 2:52 a.m. on
22 August 26, 2025, nearly eleven hours after staff discovered him in distress.

23 45. The Kern County Coroner determined that the official cause of death was
24 acute fentanyl and buprenorphine intoxication. The manner of death was ruled accidental.
25 The combination of fentanyl with the buprenorphine already in Mr. Balderas' system created
26 a lethal interaction that jail medical staff should have been vigilant to prevent through
27 enhanced monitoring.
28

1 46. Naloxone (Narcan) is a life-saving opioid antagonist that can rapidly reverse
2 the effects of opioid overdose when administered within a clinically appropriate window.
3 Upon information and belief, Lerdo Pre-Trial Facility maintained a supply of naloxone at the
4 facility and correctional and medical staff were trained in its administration, as naloxone is
5 standard equipment for emergency medical response to opioid overdoses in custodial
6 settings.

7 47. Upon information and belief, the Lerdo Pre-Trial Facility maintained a supply
8 of naloxone at the facility and correctional and medical staff were trained in its
9 administration, as required by law.

10 48. Fentanyl overdoses are routinely survivable when naloxone is administered
11 within the clinically appropriate window. Mr. Balderas' overdose was not immediately fatal;
12 he survived for approximately eleven hours after staff discovered him and was transported
13 to Kern Medical. The extended survival period demonstrates that earlier intervention,
14 including prompt administration of naloxone, would more likely than not have reversed the
15 overdose and prevented his death.

16 49. Had Defendants conducted direct-view welfare checks as required, they would
17 have discovered Mr. Balderas in distress hours earlier, when naloxone administration would
18 have been effective. The hours-long delay between the overdose and its discovery deprived
19 Mr. Balderas of this life-saving intervention.

20 ***Similar Prior Incidents at the Lerdo Pre-Trial Facility***

21 50. The pattern of deaths at the Lerdo Pre-Trial Facility includes multiple
22 incidents involving the same core failures present in Mr. Balderas' case: Delayed discovery
23 of medical emergencies, inadequate monitoring of high-risk detainees, and failure to provide
24 timely intervention.

- 25 (a) On July 28, 2024, Courtney Easley, age 28, died of fentanyl intoxication
26 at the Lerdo Pre-Trial Facility. Ms. Easley's death demonstrated that
27 fentanyl was accessible to inmates and that existing drug interdiction
28 measures were inadequate. Upon information and belief, Ms. Easley's

1 death also involved a delay between the onset of her overdose and its
2 discovery by staff.

3 (b) On August 15, 2025, eleven days before Mr. Balderas' death, a 61-year-
4 old unidentified inmate was found unresponsive during a routine check
5 at Lerdo Pre-Trial Facility. The fact that the inmate was found during a
6 routine check indicates that his medical distress had gone undetected
7 between checks.

8 (c) On September 7, 2025, twelve days after Mr. Balderas' death, 34-year-old
9 Frank Robert Miller was found experiencing a medical emergency at the
10 Lerdo Pre-Trial Facility and later died at a hospital. This death
11 demonstrates that the monitoring failures present in Mr. Balderas' case
12 continued unabated.

13 (d) In 2023, Shai Rogers, a 34-year-old man, died by suicide on April 21,
14 2023, while on suicide watch at Lerdo. His family filed a federal lawsuit,
15 *Rogers v. County of Kern*, Case No. 1:23-cv-01182 (E.D.Cal.), alleging
16 deliberate indifference to his safety. That death demonstrates that
17 monitoring failures at Lerdo extended even to detainees specifically
18 flagged for enhanced observation.

19 51. These prior incidents put Defendants on notice that their welfare-check
20 protocols, monitoring procedures, and medical response practices were inadequate to
21 protect detainees from the specific type of harm that befell Mr. Balderas.

22 ***Defendants' Knowledge and Failure to Act***

23 52. Defendants were on notice that their policies and practices were resulting in
24 preventable harm to inmates through multiple sources:

- 25 (a) The fentanyl overdose death of Courtney Easley at Lerdo in July 2024,
26 demonstrating that fentanyl was accessible to inmates at the facility;
27 (b) Additional deaths at Lerdo involving delayed discovery of medical
28 emergencies in 2025;

- 1 (c) Prior federal litigation alleging monitoring failures, including *Rogers v.*
2 *County of Kern*;
- 3 (d) Inmate grievances and complaints regarding delayed medical care, as
4 evidenced by the personal experience of Plaintiff Andres Balderas; and,
- 5 (e) The passage of California Senate Bill 519 in 2024, creating a state
6 director of in-custody death review in response to rising jail death rates.

7 53. Despite this notice, Defendants failed to implement enhanced monitoring
8 protocols for medication-assisted treatment patients, failed to improve drug interdiction
9 measures, failed to ensure meaningful direct-view welfare checks, and failed to improve
10 emergency response protocols for overdose situations.

11 **FIRST CAUSE OF ACTION**

12 **42 U.S.C. § 1983: Fourteenth Amendment Violation**

13 **Failure to Protect**

14 **(As Against All Defendants)**

15 54. Plaintiffs incorporate by reference all preceding paragraphs as though fully set
16 forth herein.

17 55. At all relevant times, Mr. Balderas was a pre-trial detainee in the custody of
18 Defendants. As a pre-trial detainee, Mr. Balderas' constitutional rights arise under the Due
19 Process Clause of the Fourteenth Amendment.

20 56. Under the Fourteenth Amendment, a pre-trial detainee can prevail on a
21 failure-to-protect claim by showing that the defendant's conduct was objectively
22 unreasonable. This objective standard requires that a reasonable officer in the circumstances
23 would have appreciated the high degree of risk involved.

24 57. Defendants knew that Mr. Balderas was a daily fentanyl user with a serious
25 opioid dependency and high tolerance. This knowledge was documented in jail records
26 based on Mr. Balderas' intake disclosures and was evidenced by the prescription of
27 buprenorphine for withdrawal management.

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1 58. Defendants knew or should have known that patients receiving medication-
2 assisted treatment for opioid use disorder are at heightened risk of fatal overdose if exposed
3 to opioids, because the combination of buprenorphine with full opioid agonists such as
4 fentanyl can cause lethal respiratory depression.

5 59. Defendants knew or should have known that fentanyl was accessible within
6 the Lerdo Pre-Trial Facility, as demonstrated by the fentanyl overdose death of Courtney
7 Easley at the same facility thirteen months earlier.

8 60. Despite this convergence of known, individualized risk factors, Defendants
9 failed to take reasonable measures to protect Mr. Balderas. Specifically, Defendants:
10 (a) Housed Mr. Balderas in general population without enhanced monitoring or any
11 individualized safety plan despite his documented high-risk status; (b) failed to conduct
12 direct-view welfare checks sufficient to identify signs of medical distress; (c) failed to
13 implement overdose surveillance for a patient on medication-assisted treatment at a facility
14 with documented fentanyl infiltration; and, (d) failed to discover his overdose for hours,
15 even as his cellmate identified the emergency.

16 61. Defendants' conduct was objectively unreasonable. A reasonable custodial
17 official, aware that a daily fentanyl user on medication-assisted treatment was housed at a
18 facility where fentanyl had killed an inmate, would implement enhanced monitoring for that
19 detainee.

20 62. As a direct and proximate result of Defendants' objectively unreasonable
21 conduct, Mr. Balderas suffered a fatal overdose and died.

22 **SECOND CAUSE OF ACTION**

23 **42 U.S.C. § 1983: Fourteenth Amendment Violation**

24 **Deliberate Indifference to Serious Medical Needs**

25 **(As Against All Defendants)**

26 63. Plaintiffs incorporate by reference all preceding paragraphs as though fully set
27 forth herein.

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1 64. Pre-trial detainees have a Fourteenth Amendment right to adequate medical
2 care, evaluated under an objective deliberate indifference standard.

3 65. Mr. Balderas had serious medical needs, including his documented opioid
4 addiction, his pre-existing cardiac condition, his need for medication-assisted treatment, and
5 his acute need for emergency medical care following his overdose.

6 66. Defendants were aware of Mr. Balderas' serious medical needs. They knew of
7 his addiction history based on his intake disclosures and were actively treating him with
8 buprenorphine, a medication that requires careful monitoring and that creates known risks if
9 combined with other opioids.

10 67. Despite this knowledge, Defendants failed to provide objectively reasonable
11 medical care. Specifically, Defendants: (a) Failed to implement enhanced monitoring
12 protocols for a patient on medication-assisted treatment with a known cardiac condition;
13 (b) failed to conduct direct-view welfare checks sufficient to identify signs of medical
14 distress; (c) failed to discover his overdose in a timely manner despite his high-risk status;
15 and, (d) failed to provide prompt emergency medical intervention, including timely
16 administration of naloxone.

17 68. The delay in discovering Mr. Balderas' overdose was significant. His cellmate
18 knew about the overdose and contacted family members before jail staff discovered him.
19 This demonstrates that the overdose was obvious enough for a fellow inmate to recognize
20 but was missed by staff responsible for monitoring.

21 69. Had Mr. Balderas been discovered promptly through direct-view welfare
22 checks, naloxone could have been administered to reverse the overdose. The hours-long
23 delay between his overdose and discovery deprived him of this life-saving intervention.

24 70. Defendants' response to Mr. Balderas' medical emergency was objectively
25 unreasonable and demonstrates deliberate indifference to his serious medical needs.

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THIRD CAUSE OF ACTION

42 U.S.C. § 1983: Municipal Liability (*Monell*)

(As Against County of Kern and Sheriff Youngblood in His Official Capacity)

71. Plaintiffs incorporate by reference all preceding paragraphs as though fully set forth herein.

72. A municipality may be held liable under section 1983 of title 42 of the United States Code when a plaintiff demonstrates that an official policy, custom, or practice of the municipality caused a constitutional violation. *Monell v. Dep't of Soc. Servs.* (1978), 436 U.S. 658. Municipal liability may be established through: (1) An official policy; (2) a pervasive practice or custom; (3) a failure to train, supervise, or discipline that amounts to deliberate indifference; or (4) a decision or act by a final policymaker. *Gravelet-Blondin v. Shelton* (9th Cir. 2013), 728 F.3d 1086, 1096.

73. Defendant County of Kern maintained policies, practices, and customs that were the moving force behind the constitutional violations that caused Mr. Balderas' death, including:

- (a) Inadequate policies for identifying, classifying, and monitoring high-risk detainees, including those with known substance abuse disorders and those receiving medication-assisted treatment;
- (b) Inadequate policies for conducting welfare checks, including failure to require direct-view checks sufficient to identify signs of medical distress;
- (c) Inadequate policies for responding to medical emergencies, including drug overdoses, and for ensuring timely administration of naloxone;
- (d) Inadequate drug interdiction policies that permitted fentanyl to infiltrate the facility despite prior overdose deaths; and,
- (e) No policy requiring individualized safety plans or enhanced monitoring for inmates receiving medication-assisted treatment for opioid use disorder.

///

1 74. The pattern of deaths at the Lerdo Pre-Trial Facility includes incidents
2 involving the same core failures present in Mr. Balderas' case: The death of Courtney Easley
3 in July 2024 due to fentanyl overdose; the death in August 15, 2025, of an unidentified
4 61-year-old inmate found unresponsive during a routine check; the death in September 2025
5 of Frank Robert Miller following a medical emergency; and the suicide death in April 2023
6 of Shai Rogers while on suicide watch, which resulted in federal litigation. Each of these
7 deaths involved delayed discovery of medical distress or inadequate monitoring of high-risk
8 detainees. This pattern put Defendants on notice that their policies were inadequate to
9 protect detainees from the specific type of harm that befell Mr. Balderas.

10 75. Defendant County of Kern failed to adequately train its employees regarding:
11 (a) The overdose risks posed by the combination of buprenorphine with fentanyl;
12 (b) identification of inmates on medication-assisted treatment as a high-risk population
13 requiring enhanced monitoring; (c) the clinical signs of opioid overdose, including
14 respiratory depression, miosis, and decreased level of consciousness; (d) proper protocols for
15 conducting direct-view welfare checks sufficient to identify signs of medical distress; and,
16 (e) prompt administration of naloxone to inmates exhibiting signs of opioid overdose.

17 76. In the alternative, even absent a pattern of prior similar violations, the need
18 for enhanced monitoring of medication-assisted treatment patients in a facility with
19 documented fentanyl infiltration was so obvious that a fatal overdose was an highly
20 predictable consequence of the failure to train and implement monitoring protocols. *Connick*
21 *v. Thompson* (2011), 563 U.S. 51, 63-64; *Board of County Comm'rs v. Brown* (1997), 520 U.S. 397,
22 409. Defendants knew fentanyl was accessible at Lerdo because Courtney Easley died of
23 fentanyl intoxication there thirteen months earlier. Defendants knew Mr. Balderas was a
24 daily fentanyl user on buprenorphine. Yet Defendants had no policy requiring enhanced
25 monitoring of medication-assisted treatment patients at facilities with documented fentanyl
26 infiltration.

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1 77. Sheriff Donny Youngblood is the final policymaker for the County with
2 respect to law enforcement and detention operations. His decisions, actions, and failures to
3 act constitute official County policy for purposes of *Monell* liability.

4 78. The County's policies, practices, customs, and failures to train were the
5 moving force behind the constitutional violations that caused Mr. Balderas' death.

6 **FOURTH CAUSE OF ACTION**

7 **Violation of California Government Code Section 845.6**

8 **Failure to Summon Medical Care**

9 **(As Against All Defendants)**

10 79. Plaintiffs incorporate by reference all preceding paragraphs as though fully set
11 forth herein.

12 80. California Government Code section 845.6 provides that a public employee,
13 and the public entity where the employee is acting within the scope of employment, is liable
14 if the employee knows or has reason to know that a prisoner is in need of immediate medical
15 care and fails to take reasonable action to summon such care.

16 81. At all relevant times, Mr. Balderas was a prisoner within the meaning of
17 Government Code section 844. Defendants' employees knew or had reason to know that
18 Mr. Balderas was in need of immediate medical care when they discovered him in medical
19 distress at approximately 4:00 p.m. on August 25, 2025. At that time, they observed or
20 should have observed signs consistent with opioid overdose, including respiratory
21 depression, decreased level of consciousness, and cyanosis.

22 82. Additionally, Mr. Balderas' cellmate contacted family members to report the
23 overdose before staff discovered him. This demonstrates that the signs of Mr. Balderas'
24 medical distress were obvious, and that any staff member conducting a meaningful welfare
25 check had reason to know of the need for immediate medical care.

26 83. Upon discovery of Mr. Balderas in medical distress, Defendants' employees
27 failed to take reasonable action to summon immediate emergency medical care with the
28 urgency required by his condition. The extended period between discovery at approximately

1 4:00 p.m. and his death at 2:52 a.m. the following morning demonstrates that the response
2 was not adequate to address his acute medical emergency.

3 84. As a direct and proximate result of Defendants' failure to summon immediate
4 medical care, Mr. Balderas died.

5 85. Plaintiffs filed a timely government claim pursuant to California Government
6 Code section 910 et seq. On or about January 16, 2026, Plaintiffs presented a written claim
7 to the County of Kern. The claim was rejected on March 3, 2026. This action is filed within
8 the six-month period prescribed by Government Code section 945.6, subdivision (a)(1).

9 **FIFTH CAUSE OF ACTION**

10 **Medical Negligence/Medical Malpractice**

11 **(As Against All Defendants and DOES 1-25)**

12 86. Plaintiffs incorporate by reference all preceding paragraphs as though fully set
13 forth herein.

14 87. At all relevant times, Defendants and the Medical Doe Defendants owed Mr.
15 Balderas a duty to provide medical care consistent with the applicable standard of care for
16 correctional healthcare.

17 88. The standard of care for correctional healthcare requires, among other things:
18 (a) Appropriate intake screening to identify inmates with substance use disorders;
19 (b) development of individualized treatment plans for inmates on medication-assisted
20 treatment; (c) enhanced monitoring of high-risk patients, including those with opioid use
21 disorder and cardiac conditions; (d) timely response to signs of medical distress;
22 (e) appropriate documentation and communication among medical staff; and, (f) availability
23 and prompt administration of naloxone.

24 89. Defendants and the Medical Doe Defendants breached the standard of care
25 by failing to: (a) Provide adequate monitoring given Mr. Balderas' documented fentanyl use
26 and prescription for buprenorphine; (b) develop and implement an appropriate treatment
27 plan accounting for his cardiac condition; (c) conduct timely welfare assessments to identify
28

1 signs of overdose; (d) discover his overdose in a timely manner; and, (e) provide timely
2 emergency intervention, including administration of naloxone.

3 90. As a direct and proximate result of Defendants' medical negligence, Mr.
4 Balderas suffered an undetected overdose, was deprived of timely life-saving intervention,
5 and died.

6 91. Plaintiffs filed a timely government claim pursuant to California Government
7 Code section 910 et seq.

8 **SIXTH CAUSE OF ACTION**

9 **Negligence**

10 **(Gov. Code, §§ 815.2 and 820)**

11 **(As Against All Defendants)**

12 92. Plaintiffs incorporate by reference all preceding paragraphs as though fully set
13 forth herein.

14 93. Pursuant to California Government Code section 820, subdivision (a), public
15 employees are liable for injury caused by their acts or omissions to the same extent as a
16 private person. The individual employees of Defendants, including custody deputies and
17 supervisory officers responsible for the monitoring and supervision of Mr. Balderas, owed
18 him a duty of care arising from their custodial relationship.

19 ///

20 94. These employees breached their duty of care by: (a) Failing to conduct direct-
21 view welfare checks at required intervals; (b) failing to adequately monitor a high-risk
22 detainee; (c) failing to discover his overdose in a timely manner; (d) failing to summon
23 medical care promptly; and, (e) failing to respond to the emergency with reasonable
24 diligence.

25 95. These breaches of duty were a substantial factor in causing Mr. Balderas'
26 death.

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1 96. Pursuant to California Government Code section 815.2, subdivision (a),
2 Defendant County of Kern is vicariously liable for the tortious acts and omissions of its
3 employees committed within the scope of their employment.

4 97. Plaintiffs filed a timely government claim pursuant to California Government
5 Code section 910 et seq.

6 **SEVENTH CAUSE OF ACTION**

7 **Wrongful Death**

8 **California Code of Civil Procedure Section 377.60**

9 **(As Against All Defendants)**

10 98. Plaintiffs incorporate by reference all preceding paragraphs as though fully set
11 forth herein.

12 99. Plaintiffs are the adult children of Decedent Raymond Vasquez Balderas and
13 are persons entitled to bring a wrongful death action pursuant to California Code of Civil
14 Procedure section 377.60. Plaintiffs constitute all statutory heirs with standing to bring this
15 action; no other persons hold a right to recovery under section 377.60.

16 100. As alleged herein, Defendants' wrongful acts and omissions caused the death
17 of Mr. Balderas.

18 101. As a direct and proximate result of Mr. Balderas' death, Plaintiffs have
19 suffered and continue to suffer damages, including but not limited to: Loss of love,
20 companionship, comfort, care, assistance, protection, affection, society, and moral support;
21 funeral and burial expenses; and all other damages recoverable under California law.

22 **EIGHTH CAUSE OF ACTION**

23 **Survival Action**

24 **California Code of Civil Procedure Section 377.30**

25 **(As Against All Defendants)**

26 102. Plaintiffs incorporate by reference all preceding paragraphs as though fully set
27 forth herein.

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111. Defendants interfered with Mr. Balderas' constitutionally protected rights through conduct that constitutes coercion within the meaning of the Tom Bane Civil Rights Act. The inherently coercive nature of the custodial environment placed Mr. Balderas in a position of complete dependency upon Defendants for his safety, medical care, and survival. In this coercive setting, Defendants' conduct demonstrated reckless disregard for Mr. Balderas' clearly established constitutional rights. *Cornell v. City and County of San Francisco* (2017), 17 Cal.App.5th 766, 801-04; *Reese v. County of Sacramento* (9th Cir. 2018), 888 F.3d 1030, 1043. Specifically:

- (a) Despite actual knowledge that fentanyl had killed an inmate at the Lerdo Pre-Trial Facility thirteen months earlier, Defendants failed to prevent fentanyl from circulating in the facility, subjecting Mr. Balderas to the substance most likely to kill him;
- (b) Despite documenting Mr. Balderas' daily fentanyl use and prescribing buprenorphine, Defendants housed him in general population without enhanced monitoring, abandoning a known high-risk patient to foreseeable lethal risks;
- (c) When Mr. Balderas overdosed, Defendants failed to discover his condition for hours, despite his cellmate recognizing the emergency and contacting family members, demonstrating that the signs of distress were obvious but deliberately ignored by those charged with his protection;
- (d) When Mr. Balderas' daughter Raquel attempted to alert the facility, she was repeatedly transferred between departments and unable to obtain any information, effectively preventing her from ensuring her father received medical care.

112. Defendants' reckless disregard of Mr. Balderas' clearly established constitutional rights in a coercive custodial environment satisfies the specific intent requirement under *Cornell* and *Reese*. See also, *M.H. v. County of Alameda* (N.D.Cal. 2013), 90 F.Supp.3d 889, 899.

1 113. Pursuant to Civil Code section 52.1, subdivision (n), the immunities provided
2 by Government Code sections 821.6 and 845.6 do not apply to claims brought under the
3 Tom Bane Civil Rights Act against peace officers, custodial officers, or the public entities
4 employing them.

5 114. As a direct and proximate result of Defendants' conduct, Mr. Balderas
6 suffered injuries and damages, and Plaintiffs are entitled to damages pursuant to Civil Code
7 section 52.1.

8 **TENTH CAUSE OF ACTION**

9 **42 U.S.C. § 1983: Supervisory Liability**

10 **(As Against Defendant Youngblood in His Individual Capacity)**

11 115. Plaintiffs incorporate by reference all preceding paragraphs as though fully set
12 forth herein.

13 116. A supervisor may be held individually liable under section 1983 of title 42 of
14 the United States Code where the supervisor's own actions or inactions amount to deliberate
15 indifference to a known constitutional violation. *Starr v. Baca* (9th Cir. 2011), 652 F.3d 1202,
16 1207-08.

17 117. Sheriff Youngblood had actual knowledge of the substantial risk of harm to
18 pre-trial detainees at the Lerdo Pre-Trial Facility. He was specifically on notice that fentanyl
19 was infiltrating the facility following the death in July 2024 of Courtney Easley from fentanyl
20 intoxication. He was on notice of monitoring failures through the *Rogers* litigation and other
21 incidents involving delayed discovery of medical emergencies.

22 118. Despite this knowledge, Sheriff Youngblood failed to take corrective action.
23 He failed to implement enhanced monitoring protocols for high-risk detainees, including
24 those receiving medication-assisted treatment. He failed to improve drug interdiction
25 measures following the Easley death. He failed to ensure that welfare checks were conducted
26 in a manner sufficient to identify signs of medical distress.

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120. As a direct and proximate result of Defendants' conduct, Plaintiffs are entitled to damages including but not limited to:

- (a) Compensatory damages for the wrongful death of Raymond Vasquez Balderas;
- (b) Damages for loss of love, companionship, comfort, care, assistance, protection, affection, society, and moral support;
- (c) Funeral and burial expenses;
- (d) Survival damages for Mr. Balderas' pre-death pain and suffering, emotional distress, and fear of impending death;
- (e) Punitive damages against Defendant Youngblood in his individual capacity;
- (f) Damages pursuant to California Civil Code section 52.1;
- (g) Attorney's fees and costs pursuant to section 1988 of title 42 of the United States Code and California Civil Code section 52.1;
- (h) Pre-judgment and post-judgment interest as allowed by law; and
- (i) Such other and further relief as the Court deems just and proper.

2 WHEREFORE, Plaintiffs pray for judgment against Defendants as follows:

1. For compensatory damages according to proof at trial;
2. For punitive damages against Defendant Youngblood in his individual capacity;
3. For damages pursuant to California Civil Code section 52.1;
4. For attorney's fees and costs pursuant to section 1988 of title 42 of the United States Code and Civil Code section 52.1;

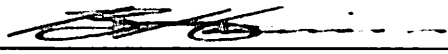
1 5. For pre-judgment and post-judgment interest;

2 6. For such other and further relief as the Court deems just and proper.

3
4 Respectfully Submitted,

5
6 Dated: August 28, 2026

HARRISON | KRISTOPHER, LLP

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8 
9 Bryan J. Harrison, Esq.,
10 Attorney for Plaintiffs, RAQUEL BALDERAS,
11 ANGELA SALAS, ANDRÉS BALDERAS,
12 VINCENT BALDERAS, and RAYMOND
13 BALDERAS, JR., individually and as Successors-
14 in-Interest to RAYMOND VASQUEZ
15 BALDERAS, Deceased
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DEMAND FOR TRIAL BY JURY

Plaintiffs hereby demand a trial by jury on all issues so triable.

Dated: August 28, 2026

HARRISON | KRISTOPHER, LLP


Bryan J. Harrison, Esq.,
Attorney for Plaintiffs, RAQUEL BALDERAS,
ANGELA SALAS, ANDRÉS BALDERAS,
VINCENT BALDERAS, and RAYMOND
BALDERAS, JR., individually and as Successors-
in-Interest to RAYMOND VASQUEZ
BALDERAS, Deceased

EXHIBIT A

1 I, RAQUEL BALDERAS, declare as follows:

2 1. I am the Plaintiff in this action and the successor in interest to Decedent
3 RAYMOND BALDERAS.

4 2. Decedent died on August 26, 2025. A copy of Decedent's death certificate is attached
5 as Exhibit A.

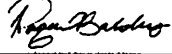
6 3. No proceeding is pending in California for administration of Decedent's estate.

7 4. I am a successor in interest to the Decedent as a surviving next of Kin entitled to
8 Decedent's estate under California law. No other person has a superior right to commence
9 this action.

10 5. I bring this action individually and as a successor in interest to the Estate of
11 Raymond Balderas.

12
13 I declare under penalty of perjury under the laws of the State of California and the
14 United States that the foregoing is true and correct.

15
16 Dated: 1/14/2026

Signed by:


[Illegible text]

17 RAQUEL BALDERAS
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DECLARATION OF RAQUEL BALDERAS

1 I, ANGELA SALAS, declare as follows:

2 1. I am the Plaintiff in this action and the successor in interest to Decedent
3 RAYMOND BALDERAS.

4 2. Decedent died on August 26, 2025. A copy of Decedent's death certificate is attached
5 as Exhibit A.

6 3. No proceeding is pending in California for administration of Decedent's estate.

7 4. I am a successor in interest to the Decedent as a surviving next of Kin entitled to
8 Decedent's estate under California law. No other person has a superior right to commence
9 this action.

10 5. I bring this action individually and as a successor in interest to the Estate of
11 Raymond Balderas.

12 I declare under penalty of perjury under the laws of the State of California and the
13 United States that the foregoing is true and correct.
14

15 Dated: 1/8/2026

Signed by:

ANGELA SALAS

ANGELA SALAS

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DECLARATION OF ANGELA SALAS

1 I, ANDRES BALDERAS, declare as follows:

2 1. I am the Plaintiff in this action and the successor in interest to Decedent
3 RAYMOND BALDERAS.

4 2. Decedent died on August 26, 2025. A copy of Decedent's death certificate is attached
5 as Exhibit A.

6 3. No proceeding is pending in California for administration of Decedent's estate.

7 4. I am a successor in interest to the Decedent as a surviving next of Kin entitled to
8 Decedent's estate under California law. No other person has a superior right to commence
9 this action.

10 5. I bring this action individually and as a successor in interest to the Estate of
11 Raymond Balderas.

12
13 I declare under penalty of perjury under the laws of the State of California and the
14 United States that the foregoing is true and correct.

15
16 Dated: 1/14/2026

Signed by:

40E8015AF7404E8

ANDRES BALDERAS

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DECLARATION OF ANDRES BALDERAS

1 I, VINCENT BALDERAS, declare as follows:

2 1. I am the Plaintiff in this action and a successor in interest to Decedent
3 RAYMOND BALDERAS.

4 2. Decedent died on August 26, 2025. A copy of Decedent's death certificate is attached
5 as Exhibit A.

6 3. No proceeding is pending in California for administration of Decedent's estate.

7 4. I am the successor in interest to the Decedent as a surviving next of Kin entitled to
8 Decedent's estate under California law. No other person has a superior right to commence
9 this action.

10 5. I bring this action individually and as a successor in interest to the Estate of
11 Raymond Balderas.

12 I declare under penalty of perjury under the laws of the State of California and the
13 United States that the foregoing is true and correct.
14

15 Dated: 1/14/2026

Signed by:

Vincent Balderas

VINCENT BALDERAS

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DECLARATION OF VINCENT BALDERAS

1 I, RAYMOND BALDERAS JR, declare as follows:

2 1. I am the Plaintiff in this action and the successor in interest to Decedent

3 RAYMOND BALDERAS.

4 2. Decedent died on August 26, 2025. A copy of Decedent's death certificate is attached
5 as Exhibit A.

6 3. No proceeding is pending in California for administration of Decedent's estate.

7 4. I am a successor in interest to the Decedent as a surviving next of Kin entitled to
8 Decedent's estate under California law. No other person has a superior right to commence
9 this action.

10 5. I bring this action individually and as a successor in interest to the Estate of Raymond
11 Balderas.

12
13 I declare under penalty of perjury under the laws of the State of California and the
14 United States that the foregoing is true and correct.

15 Dated: 1/21/2026

Signed by: By
Raymond Balderas Jr

Signed by:
Raymond Balderas Jr
519388A87676248D

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17 RAYMOND BALDERAS JR

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DECLARATION OF RAYMOND BALDERAS JR

3052025192111		CERTIFICATE OF DEATH		3202515004277	
STATE FILE NUMBER		STATE OF CALIFORNIA USE BLACK INK ONLY / NO ERASURES, HIGHLIGHTS OR ALTERATIONS DE-31 REV 2/14		LOCAL REGISTRATION NUMBER	
1. NAME OF DECEDENT - FIRST (Given) RAYMOND		2. MIDDLE VASQUEZ		3. LAST (Family) BALDERAS	
AKA, ALSO KNOWN AS - Include full AKA (First, Middle, Last)		4. DATE OF BIRTH mm/dd/yyyy 1965		5. AGE Yrs 60	6. SEX M
9. BIRTH STATE/FOREIGN COUNTRY MI	10. SOCIAL SECURITY NUMBER 5053	11. EVER IN U.S. ARMED FORCES? ☐ YES ☒ NO ☐ UNK	12. MARITAL STATUS/SHIP (at Time of Death) DIVORCED	7. DATE OF DEATH mm/dd/yyyy 08/26/2025	8. HOUR (24 Hours) 0252
13. EDUCATION - Highest Level (Degree) GED	14/15. WAS DECEDENT HISPANIC/LATINO/SPANISH? (If yes, see worksheet on back) ☒ YES MEXICAN	16. DECEDENT'S RACE - Up to 3 races may be listed (see worksheet on back) MEXICAN AMERICAN			
17. USUAL OCCUPATION - Type of work for most of life. DO NOT USE RETIRED CHURCH LEADER		18. KIND OF BUSINESS OR INDUSTRY (e.g., grocery store, road construction, employment agency, etc.) RELIGION		19. YEARS IN OCCUPATION 5	
20. DECEDENT'S RESIDENCE (Street and number, or location) [REDACTED]					
21. CITY BAKERSFIELD		22. COUNTY/PROVINCE KERN	23. ZIP CODE 93305	24. YEARS IN COUNTRY 45	25. STATE/FOREIGN COUNTRY CA
26. INFORMANT'S NAME, RELATIONSHIP RAQUEL BALDERAS, DAUGHTER					
27. INFORMANT'S MAILING ADDRESS (Street and number, city or town, state and zip) [REDACTED] WASCO, CA 93280					
28. NAME OF SURVIVING SPOUSE/SURV-First -		29. MIDDLE -	30. LAST (BIRTH NAME) -		
31. NAME OF PARENT-First PEDRO		32. MIDDLE -	33. LAST (BIRTH NAME) BALDERAS		34. BIRTH STATE TX
35. NAME OF PARENT-First FRANCISCA		36. MIDDLE -	37. LAST (BIRTH NAME) VASQUEZ		38. BIRTH STATE TX
39. DEPOSITION DATE mm/dd/yyyy 09/12/2025		40. PLACE OF FINAL DISPOSITION RESIDENCE OF RAQUEL BALDERAS WASCO, CA 93280			
41. TYPE OF DISPOSITION CREMATE/RESIDENCE		42. SIGNATURE OF EMBALMER JESUS MONTANO		43. LICENSE NUMBER EMB7811	
44. NAME OF FUNERAL ESTABLISHMENT PETERS FUNERAL HOME		45. LICENSE NUMBER FD787	46. SIGNATURE OF LOCAL REGISTRAR KRIS LYON, MD		47. DATE mm/dd/yyyy 09/08/2025
101. PLACE OF DEATH KERN MEDICAL					
102. IF HOSPITAL, SPECIFY ONE ☐ IP ☒ EDW ☐ DOA		103. IF OTHER THAN HOSPITAL, SPECIFY ONE ☐ Hospice ☐ Nursing Home/LTD ☐ Decedent's Home ☐ Other			
104. COUNTY KERN		105. FACILITY ADDRESS OR LOCATION WHERE FOUND (Street and number, or location) 1700 MOUNT VERNON AVENUE		106. CITY BAKERSFIELD	
107. CAUSE OF DEATH Enter the chain of events - diseases, injuries, or complications - that directly caused death. DO NOT enter terminal events such as cardiac arrest, respiratory arrest, or venous thromboembolism without showing the etiology. DO NOT abbreviate. IMMEDIATE CAUSE: PENDING SEQUENTIALLY 1st condition, if any, leading to cause: PENDING UNDERLYING CAUSE (disease or injury that initiated the events resulting in death) LAST: PENDING					
108. DEATH REPORTED TO CORONER? (a) ☒ YES ☐ NO (b) 2025-01944 (c) ☐ YES ☒ NO (d) ☒ YES ☐ NO (e) ☒ YES ☐ NO (f) ☒ YES ☐ NO					
109. OTHER SIGNIFICANT CONDITIONS CONTRIBUTING TO DEATH (BUT NOT RESULTING IN THE UNDERLYING CAUSE GIVEN IN 107) NONE					
110. WAS OPERATION PERFORMED FOR ANY CONDITION IN ITEM 107 OR 112? (If yes, list type of operation and date.) NO					
111. I CERTIFY THAT TO THE BEST OF MY KNOWLEDGE DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED. Decedent Attended Date: mm/dd/yyyy Decedent Last Seen Date: mm/dd/yyyy		112. SIGNATURE AND TITLE OF CERTIFIER [REDACTED]		113. LICENSE NUMBER [REDACTED]	
114. I CERTIFY THAT IN MY OPINION DEATH OCCURRED AT THE HOUR, DATE, AND PLACE STATED FROM THE CAUSES STATED. MANNER OF DEATH: ☐ Natural ☐ Accidental ☐ Homicide ☐ Suicide ☒ Pending Investigation ☐ Could not be determined		115. TYPE AT WORKING PHYSICIAN'S NAME, MAILING ADDRESS, ZIP CODE [REDACTED]		116. DATE mm/dd/yyyy 09/05/2025	
117. INJURED AT WORK? ☐ YES ☐ NO ☐ UNK		118. INJURY DATE mm/dd/yyyy [REDACTED]		119. HOUR (24 Hours) [REDACTED]	
120. PLACE OF INJURY (e.g., home, construction site, wooded area, etc.) [REDACTED]					
121. DESCRIBE HOW INJURY OCCURRED (Events which resulted in injury) [REDACTED]					
122. LOCATION OF INJURY (Street and number, or location, and city, and zip) [REDACTED]					
123. SIGNATURE OF CORONER/DEPUTY CORONER MONICA LOVAN		124. DATE mm/dd/yyyy 09/05/2025		125. TYPE NAME, TITLE OF CORONER/DEPUTY CORONER MONICA LOVAN, DEP CORONER	
STATE REGISTRAR		A B C D E		FAX AUTH# CENSUS TRACT	

CERTIFIED COPY OF VITAL RECORD
 STATE OF CALIFORNIA, COUNTY OF KERN

This is a true and exact reproduction of the document officially registered and placed on file with the Kern County Recorder.

DATE ISSUED

APR 03 2026



Laura Avila
 LAURA AVILA
 ASSESSOR/RECORDER

This copy is not valid unless prepared on an engraved border displaying the date, seal and signature of the County Recorder.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



STATE OF CALIFORNIA

Case 1:26-at-022 CERTIFICATION OF VITAL RECORDS Page 36 of 36

3052025192111

STATE FILE NUMBER

1.1

PHYSICIAN/CORONER'S AMENDMENT

NO ERASURES, WHITEOUTS, PHOTOCOPIES,
OR ALTERATIONS

3202515004277

LOCAL REGISTRATION NUMBER

☐ BIRTH ☒ DEATH ☐ FETAL DEATH

TYPE OR PRINT CLEARLY IN BLACK INK ONLY - THIS AMENDMENT BECOMES AN ACTUAL PART OF THE OFFICIAL RECORD

PART I INFORMATION TO LOCATE RECORD

INFORMATION AS IT APPEARS ON ORIGINAL RECORD	1A. NAME—FIRST RAYMOND	1B. MIDDLE VASQUEZ	1C. LAST BALDERAS	2. SEX M
	3. DATE OF EVENT—MM/DD/CCYY 08/26/2025	4. CITY OF EVENT BAKERSFIELD	5. COUNTY OF EVENT KERN	

PART II STATEMENT OF CORRECTIONS

6. CERTIFICATE ITEM NUMBER	7. INFORMATION AS IT APPEARS ON ORIGINAL RECORD	8. INFORMATION AS IT SHOULD APPEAR
107A	PENDING	ACUTE FENTANYL AND BUPRENORPHINE TOXICITY
107AT	PEND	UNK
112	NONE	HYPERTROPHIC HEART DISEASE
119	PENDING INVESTIGATION	ACCIDENT
120		N
121		08/25/2025
122		UNK
123		OTHER: JAIL
124		ACUTE FENTANYL AND BUPRENORPHINE TOXICITY
125		LERDO JAIL 17695 INDUSTRIAL FARM ROAD, BAKERSFIELD, CA 93308

DECLARATION
OF
CERTIFYING
PHYSICIAN OR
CORONER

I HEREBY DECLARE UNDER PENALTY OF PERJURY THAT THE ABOVE INFORMATION IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

9. SIGNATURE OF CERTIFYING PHYSICIAN OR CORONER

MICHAIAH KENNEDY

10. DATE SIGNED—MM/DD/CCYY

10/08/2025

11. TYPED OR PRINTED NAME AND TITLE/DEGREE OF CERTIFIER

MICHAIAH KENNEDY, DEP CORONER

12. ADDRESS—STREET and NUMBER

1350 NORRIS ROAD

13. CITY

BAKERSFIELD

14. STATE

CA

15. ZIP CODE

93308-2231

STATE/LOCAL
REGISTRAR
USE ONLY

16. OFFICE OF VITAL RECORDS OR LOCAL REGISTRAR

CDPH-VR

17. DATE ACCEPTED FOR REGISTRATION—MM/DD/CCYY

10/08/2025

CERTIFIED COPY OF VITAL RECORD
STATE OF CALIFORNIA, COUNTY OF KERN

This is a true and exact reproduction of the document officially registered
and placed on file with the Kern County Recorder.

DATE ISSUED

APR 03 2026

This copy is not valid unless prepared on an engraved border displaying the date, seal and signature of the County Recorder.

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



0 0 1 3 4 6 4 7 5

LAURA AVILA
ASSESSOR RECORDER



UNITED STATES MAGISTRATE JUDGE HELENA BARCH-KUCHTA (HBK)

Eastern District of California – Yosemite National Park
2500 Tulare Street, Courtroom 2, 8th Floor
Fresno, CA 93721

Patricia Apodaca, Courtroom Deputy
Office: (209) 372-8917
Email: papodaca@caed.uscourts.gov
Teleconference Number: (669) 254-5252
Meeting Id: 160 644 7139
Passcode: 646053

Proposed Orders: hbkorders@caed.uscourts.gov

Standard Procedures for U.S. Magistrate Judge Helena Barch-Kuchta

1. Civil Law and Motion Calendar

- a. Hearings on motions are to be noticed for Mondays at 1:00 pm, and Fridays at 9:00 am and 1:00 pm.
- b. Parties are not required to clear a date or time with the courtroom deputy prior to filing your motion. Parties should list their proposed hearing date in accordance with the Local Rules. If the date conflicts with the Court's calendar, the Court will reschedule the matter and issue an order with the new date. If parties do not hear from the Court, they should plan to attend the hearing on the date listed in their motion papers.
- c. Should the Court determine the matter is suitable for decision without a hearing, it will vacate the hearing date and address the motion on the briefs. *See* Local Rule 230(g).
- d. Unless granted prior approval of the Court, parties are advised that all moving and opposition briefs and/or legal memoranda filed in civil cases shall not exceed twenty-five (25) pages. Reply briefs shall not exceed ten (10) pages. These pages do not include exhibits. Parties may seek leave for additional pages through a telephonic conference with all parties, or by brief motion.
- e. Judge Barch-Kuchta does not issue tentative rulings.
- f. In keeping with the Local Rules, counsel must email to chambers email (hbkorders@caed.uscourts.gov) all proposed orders, applications, requests, stipulations, etc., in an editable format. Per Local Rule 131(a)(c), the emailed document must include the attorney(s)' electronic signature(s), as well as the date signed. Please include the case name and number in the subject line of all emails.

2. Scheduling Orders

- a. The dates set by the Court in the Scheduling Order are firm and will not be modified absent a showing of good cause, even if the parties file a stipulation to modify the schedule. Stipulations extending deadlines will not be considered unless they are accompanied by affidavits or declarations, with exhibits if appropriate, that establish good cause for granting the requested modification.

3. Scheduling Conferences

- a. If the Court sets a mandatory scheduling conference, the parties must file a joint scheduling conference report at least one full week (7 days) prior to the scheduling conference. The parties shall email the report, in an editable format, to chambers email (hbkorders@caed.uscourts.gov). A template of the joint scheduling report is available at [https://www.caed.uscourts.gov/caednew/assets/File/HBK/Joint%20Scheduling%20Report%20Template%20\(Rcv%204-8-2024\).docx](https://www.caed.uscourts.gov/caednew/assets/File/HBK/Joint%20Scheduling%20Report%20Template%20(Rcv%204-8-2024).docx).

4. Discovery Motions

- a. Judge Barch-Kuchta will not consider any discovery motions without prior approval in accordance with the following procedures:
 - i. A party with a discovery dispute must confer with the opposing party in a good faith effort to resolve the motion without court action. If such effort fails, the moving party must, prior to filing a notice of motion, contact Courtroom Deputy Patricia Apodaca at papodaca@caed.uscourts.gov to request a pre-motion telephone conference with Judge Barch-Kuchta. The request shall be deemed to include a professional representation by the requesting party that a good-faith effort to resolve the dispute took place but failed, and it must advise the Court of dates and times when all concerned parties are available to confer.
 - ii. The Court will issue a minute order advising counsel of the time and date of the telephone conference.
 - iii. **Prior to the telephone conference, the parties shall simultaneously file an "Informal Discovery Dispute Letter Brief,"** outlining their positions regarding the dispute. The letter brief is limited to three (3) pages in length and shall be filed no later than twenty-four hours before the scheduled conference. Attachments are prohibited.

- iv. At the conference, the Court will discuss the issue raised and attempt to provide guidance to narrow or dispose of the dispute. The Court may announce an anticipated ruling on the dispute. If no resolution can be reached, a party may seek permission to file a formal discovery motion.
- v. Formal discovery hearings shall comply with Local Rule 251. Any such motion should (1) quote in full each interrogatory, deposition question, request for admission, or request for production that is in dispute, and (2) state the response or objection and grounds therefor articulated by the opposing party. Unless otherwise ordered, deposition transcripts or discovery papers are not to be filed with the Court.

5. Settlement Conferences

- a. Parties may contact Courtroom Deputy Patricia Apodaca to request that a magistrate judge serve as mediator in a settlement conference. Judge Barch-Kuchta will issue a pre-conference order establishing procedures and expectations for the settlement conference. This order may require a pre-conference call from each party and pre-conference telephone call with the lead attorneys.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

*****,
Plaintiff**,
v.
*****,
Defendant**.

Case No.

JOINT SCHEDULING REPORT

DATE:

TIME:

The goal of this case management report is to “secure the just, speedy, and inexpensive determination of” the action. *See* Fed. R. Civ. P. 1.

A. Brief Summary of Factual and Legal Contentions

Joint Description of Action

In a few sentences, describe the nature of the action and its complexity.

Plaintiff’s Factual and Legal Contentions

Defendant’s Factual and Legal Contentions

B. Discovery Plan

1. Date and Attendees

The parties must confer “as soon as practicable” and “in any event at least 21 days before a scheduling conference is to be held.” Fed. R. Civ. P. 26(f).

The parties conducted the planning conference on enter date. Enter names attended the conference.

2. Deadlines and Dates

The parties request these deadlines and dates:

Action or Event	Date
Deadline for Mandatory Initial Disclosures. <i>See</i> Fed. R. Civ. P. 26(a)(1).	Enter a date.
Deadline to Join a Party, <i>see</i> Fed. R. Civ. P. 14, 19, and 20, or amend the pleadings, <i>see</i> Fed. R. Civ. P. 15(a).	Enter a date.
Mid-discovery Status Conference. <i>Should be scheduled mid-way through the discovery period.</i> <i>Telephonic before Magistrate Judge Barch-Kuchta</i> <i>Report is due at least 14 days before the telephonic conference. Parties must file a motion to cancel conference if not needed.</i>	Report Due: Enter a date. Conference: Enter a date.
Deadline for Non-Expert Discovery and Filing Motion to Compel. <i>See</i> Fed. R. Civ. P. 37. (Case specific or 9 months from scheduling conference date)	Enter a date.
Plaintiff's Expert Disclosure Deadline. <i>See</i> Fed. R. Civ. P. 26(a)(2). (Generally 30 days after non-expert discovery deadline)	Enter a date.
Defendant's Expert Disclosing Deadline. (Generally the same date as Plaintiff or no more than 14 days after non-expert discovery deadline)	Enter a date.
Rebuttal Expert Disclosure Deadline. (Generally 30 days after initial expert disclosure)	Enter a date.
Expert Discovery Deadline. (Generally 30 days after rebuttal expert report)	Enter a date.
Deadline for Moving for Class Certification (if applicable). <i>See</i> Fed. R. Civ. P. 23(c).	Enter a date.
Deadline for Dispositive Motion. <i>See</i> Fed. R. Civ. P. 56. Generally 45 days after expert-discovery cut-off.	Enter a date.

Deadline to engage in settlement conference. <i>See Local Rule 270, 271.</i> Enter preference for private mediation. VDRP or by magistrate judge.	Enter a date.
Deadline for filing the joint final pretrial statement, any motions in limine, proposed jury instructions, and verdict form. <i>See Local Rule 281. (Must be at least 14 days before the final pretrial conference.)</i>	Enter a date.
Date of the final pretrial conference. <i>See Fed. R. Civ. P. 16(e); See Local Rule 282.</i> Judge Sherriff: (160 days after dispositive motion deadline) (The second or fourth Monday of the month—Tuesday if the Monday is a holiday—at 1:30 pm) Judge Thurston: (160 days after dispositive motion deadline) (Mondays at 1:30 pm) If consent, Judge Barch-Kuchta: (90 days after dispositive motion deadline) (Fridays at 9:00 am)	Enter a date.
Month, date, and year of the trial term. (Generally, 6 weeks after pre-trial conference) Judge Sherriff (Tuesdays at 8:30) Judge Thurston (Tuesdays at 8:30) Judge Barch-Kuchta (2 weeks after pretrial conference, Mondays at 8:30 am)	Enter a date.

The trial will last approximately enter number days and be

- ☐ jury.
☐ non-jury.

3. Disclosure Statement

- ☐ The parties have filed their disclosure statement as required by Federal Rule of Civil Procedure 7.1.

4. Related Action

- ☐ The parties acknowledge their continuing duty under Local Rule 123 to notify the judge of a related action pending in the Eastern District or elsewhere by filing a “Notice of a Related Action.” No notice is required if there are no related actions as defined by the rule.

5. Consent to a Magistrate Judge

The duties of a United States Magistrate Judge in the Eastern District are set forth in Local Rule 300-304. With the parties' consent, a District Judge can refer any civil matter to a magistrate judge for any or all proceedings, including a non-jury or jury trial. 28 U.S.C. § 636(c).

The Court asks the parties and counsel to consider the benefits to the parties and the Court for consenting to proceed before a magistrate judge. Consent can provide the parties certainty and flexibility in scheduling. **Consent is voluntary, and a party for any reason can decide not to consent and continue before the District Judge without adverse consequences.** *See* Fed. R. Civ. P. 73(b)(2).

- ☐ The parties do consent and file with this case management report a completed Form AO 85 "Notice, Consent, and Reference of a Civil Action to a Magistrate Judge," which is available on the Court's website under "Forms."
- ☐ The parties do not consent.

6. Discovery Practice

- ☐ The parties confirm they will comply with their duty to confer with the opposing party in a good faith effort to resolve any discovery dispute before filing a motion. *See* Local Rule 251.

7. Discovery Plan

- A. The parties agree to the timing, form, or requirement for disclosures under Rule 26(a):
 - ☐ Yes.
 - ☐ No; instead, the parties agree to these changes: enter changes.
- B. The Discovery may be needed on these subjects: list the subjects.
- C. Discovery should be conducted in phases:
 - ☐ No.
 - ☐ Yes; describe the suggested phases.
- D. Are there issues about disclosure, discovery, or preservation of electronically stored information?
 - ☐ No.
 - ☐ Yes; describe the issue(s).

E. ☐ The parties have considered privilege and work-product issues, including whether to ask the Court to include any agreement in an order under Federal Rule of Evidence 502(d).

F. The parties stipulate to changes to the limitations on discovery imposed under the Federal Rules of Civil Procedure and the Court's Local Rules or other limitations:

☐ No.

☐ Yes; describe the stipulation.

G. The parties anticipate the need for a Protective Order under Federal Rule of Civil Procedure 26(c) and Local Rule 141.1.

☐ No.

☐ Yes;

8. Certification of familiarity with the Local Rules

☐ The parties certify that they have read and are familiar with the Court's Local Rules.

9. Signatures

Add name of party or counsel
If counsel, add name of client
Add date of signature

Add name of party or counsel
If counsel, add name of client
Add date of signature

Add name of party or counsel
If counsel, add name of client
Add date of signature

Add name of party or counsel
If counsel, add name of client
Add date of signature

Add name of party or counsel
If counsel, add name of client
Add date of signature

Add name of party or counsel
If counsel, add name of client
Add date of signature

450 Lincoln Ave. Ste. 103
Salinas, CA 93901

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