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7 *Attorney for Humboldt Defendants*

8 **UNITED STATES DISTRICT COURT**  
9 **NORTHERN DISTRICT OF CALIFORNIA**

10 APRIL JAMES, EUNICE  
11 SWEARINGER, STEVE BRITTON, and  
12 ROUND VALLEY INDIAN TRIBES

13 *Plaintiffs,*

14 v.

15 MATTHEW KENDALL, Sheriff of  
16 Mendocino County; COUNTY OF  
17 MENDOCINO, WILLIMA HONSAL,  
18 Sheriff of Humboldt County; JUSTIN  
19 PRYOR, deputy of Humboldt County  
20 Sheriff's Office; COUNTY OF  
21 HUMBOLDT; SEAN DURYEE,  
22 Commissioner of the California Highway  
23 Patrol; CALIFORNIA HIGHWAY  
24 PATROL; and DOES 1 through 50,

25 *Defendants.*

Case No. 1:25-CV-03736-RMI

HUMBOLDT DEFENDANTS'  
OPPOSITION TO PLAINTIFFS'  
MOTION FOR ENTRY OF FINAL  
JUDGMENT

Date: March 17, 2026

Time: 11:00 a.m.

Courtroom: 1

Judicial Officer: Hon. Robert Illman

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**Opposition to Entry of Final Judgment**

Defendants County of Humboldt, Sheriff William Honsal, and Deputy Sheriff Justin Pryor oppose Plaintiffs’ Motion for Entry of Final Judgment on their First and Second Claims under Federal Rule of Civil Procedure 54(b). (“Motion”). These claims were not dismissed as to Humboldt, meaning judgment is not final as to all parties, and entry of final judgment will result in piecemeal appeals.

**Statement of Facts**

Plaintiffs’ filed their first complaint on April 29th, 2025. [Dkt 1]. Humboldt Defendants answered. [Dkt 18]. Plaintiffs’ filed their First Amended Complaint (“FAC”) on July 17, 2025. [Dkt 35]. Humboldt Defendants answered again. [Dkt 45]. Only Mendocino defendants and Commissioner Duryee filed motions to dismiss the FAC. [Dkt 40;46].

Mendocino’s Motion to Dismiss (“MTD”) argued, among other things, that the FAC’s first two causes of action (unlawful assertion of jurisdiction and infringement on tribal sovereignty) should be dismissed because California’s cannabis laws are criminal in nature, and Mendocino Defendants therefore had jurisdiction under P.L. 280. The Court agreed, dismissing not only these two causes of action, but also “...any elements of other claims that rely on the contention that the underlying searches were illegal because Defendants lacked enforcement jurisdiction.” [Dkt 64](MTD order at 21.) Plaintiffs now move for entry of judgment on these first two causes of action under Federal Rule 54(b). [Dkt 67].

**Legal Standard**

“When an action presents more than one claim for relief—whether as a claim, counterclaim, crossclaim, or third-party claim—or when multiple parties

1 are involved, the court may direct entry of a final judgment as to one or more, but  
2 fewer than all, claims or parties only if the court expressly determines that there  
3 is no just reason for delay.” Fed. R. Civ. P. 54(b).

4 In considering a motion for entry of final judgment under Rule 54(b), a  
5 “district court must first determine that it has rendered a ‘final judgment,’ that is,  
6 a judgment that is ‘an ultimate disposition of an individual claim entered in the  
7 course of a multiple claims action.” *Wood v. GCC Bend, LLC*, 422 F.3d 873, 878  
8 (9th Cir. 2005) (quoting *Curtiss-Wright Corp. v. Gen. Elec. Co.*, 446 U.S. 1, 7  
9 (1980)). If a district court determines that it has rendered a final judgment for  
10 purposes of Rule 54(b), the court must then determine whether any just reason for  
11 delay exists. *Id.* at 878. “[A] district court must take into account judicial  
12 administrative interests as well as the equities involved.” *Curtiss-Wright Corp.*,  
13 446 U.S. at 8. Courts in the Ninth Circuit apply a “pragmatic approach” to Rule  
14 54(b) certification, “focusing on severability and efficient judicial administration.”  
15 *Cont’l Airlines, Inc. v. Goodyear Tire & Rubber Co.*, 819 F.2d 1519, 1525 (9th Cir.  
16 1987). Rule 54(b) preserves the historic federal policy against piecemeal appeals.  
17 *Sears, Roebuck & Co. v. Mackey* (1956) 351 U.S. 427, 438.

### 18 19 **Argument**

20 Plaintiffs seek an entry of final judgment as to the dismissal of their First  
21 and Second Causes of Action. Humboldt Defendants did not move to dismiss those  
22 claims. The Court certainly may dismiss the claims as to Humboldt Defendants  
23 sua sponte. *Omar v. Sea-Land Service, Inc.*, 813 F.2d 986, 991 (9th Cir. 1987). But  
24 the MTD order does not expressly do so, and Humboldt Defendants expect to  
25 proceed as if the P.L. 280 issues are still alive. Contrary to Plaintiffs’ contentions,  
26 the MTD order will not alter the scope of discovery, at least as to Humboldt.  
27 Motion at 7.

1           The Court’s MTD order dismissed more than just the first two causes of  
2 action. It also dismissed “...any elements of other claims that rely on the  
3 contention that the underlying searches were illegal because Defendants lacked  
4 enforcement jurisdiction.” (MTD order at 21.) Plaintiffs seek entry of final  
5 judgment only as to the First and Second Causes of Action, and not to these other  
6 elements. Plaintiffs therefore propose to submit to the Ninth Circuit only part of  
7 the core legal issue, and only as it applies to some of the defendants.

8           There are also other elements of their causes of action Plaintiffs cannot  
9 establish, perhaps obviating the need to decide the P.L. 280 issue. As Plaintiffs  
10 acknowledge, courts are reaching divergent conclusions as to the P.L. 280 issue.  
11 Whichever way the Ninth Circuit may ultimately resolve the issue, it cannot be  
12 said that a clearly established right has been violated, of which a “reasonable  
13 person would have known.” *Mueller v. Aufer* (9th Cir. 2012) 700 F.3d 1180, 1185.  
14 This court may grant the individual defendants qualified immunity without  
15 necessarily reaching the full merits of the P.L. 280 case. Likewise, as Plaintiffs will  
16 not be able to establish any policy, practice or custom under *Monell*, the agencies  
17 can be dismissed as well without resolving the P.L. 280 issue. There is no need to  
18 force this issue now.

19           Plaintiffs argue that the Ninth Circuit has consistently treated PL 280  
20 questions as analytically distinct from fact-intensive constitutional tort claims,  
21 pointing out that *Cabazon Band of Mission Indians v. Riverside County*, 783 F.2d  
22 900 (9th Cir. 1986) was decided after the district court entered final judgment  
23 under Rule 54(b). Motion at 5. However, in *Cabazon*, that final judgment was  
24 entered after summary judgment, not after a motion to dismiss. *Cabazon*, 783 F.2d  
25 at 900. There was no factual dispute as to the conduct at issue. Since Humboldt  
26 Defendants expect to reach that same point in the case before the issue is  
27 submitted to the Ninth Circuit, entry of final judgment at this early stage will  
28 guarantee piecemeal and duplicative appeals.

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**Conclusion**

Humboldt Defendants respectfully request the Court deny Plaintiffs' Motion.

Dated: February 20, 2026

Respectfully Submitted,

/s/

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Joel Campbell-Blair, Deputy County Counsel  
Attorney for the County of Humboldt and  
Individual Humboldt Defendants

**CERTIFICATE OF SERVICE**

STATE OF CALIFORNIA        )  
  ) ss.  
COUNTY OF HUMBOLDT     )

I, TERI GRIDLEY, say:

I am a citizen of the United States, over 18 years of age, a resident of the County of Humboldt, State of California, and not a party to the within action; that my business address is Humboldt County Courthouse, Eureka, California; that on **February 20, 2026**, I served a true copy of the **HUMBOLDT DEFENDANTS’ OPPOSITION TO PLAINTIFFS’ MOTION FOR ENTRY OF FINAL JUDGMENT**

XX by electronic service with the Clerk of the United States District Court for the Northern District of California by using the CM/ECF system, which generated and transmitted a notice of electronic filing to CM/ECF registrants listed below:

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Julia Chapman  
Mendocino County Counsel  
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Ukiah, CA 95482

I declare under penalty of perjury that the foregoing is true and correct.

Executed on the 20<sup>th</sup> day of February, 2026, at the City of Eureka, County of Humboldt, State of California.

\_\_\_\_\_/s/\_\_\_\_\_  
Teri Gridley,  
Legal Office Business Manager