

UNITED STATES COURT OF APPEALS

FILED

FOR THE NINTH CIRCUIT

MAY 1 2024

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

JAKE PECCIA,

Plaintiff-Appellant,

v.

CALIFORNIA DEPARTMENT OF
CORRECTIONS AND REHABILITATION,

Defendant-Appellee.

No. 21-16962

D.C. No.

2:18-cv-03049-JAM-AC

Eastern District of California,
Sacramento

ORDER

Before: MURGUIA, Chief Judge, and GRABER and FRIEDLAND, Circuit Judges.

In light of the recent decision of the Supreme Court of the United States, Muldrow v. City of St. Louis, No. 22-193, 2024 WL 1642826 (U.S. April 17, 2024), we vacate the district court’s decision in full. Because of the Supreme Court’s holding requiring that lower courts “use the proper Title VII standard, and not demand that [a plaintiff] demonstrate [his] transfer caused ‘significant’ harm,” Muldrow, 2024 WL 1642826, at *7, we remand to the district court for reconsideration and for any additional proceedings it deems appropriate.

The parties shall bear their own attorney’s fees, costs, and expenses.

This order constitutes the mandate of this court.