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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JOSEPH WHITAKER,

Plaintiff,

No. CIV S-10-1400 KJM EFB P

vs.

CHEN, et al.,

Defendants.

ORDER

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Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 28, 2011, the magistrate judge filed findings and recommendations, which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within fourteen days. Neither party has filed objections to the findings and recommendations.<sup>1</sup>

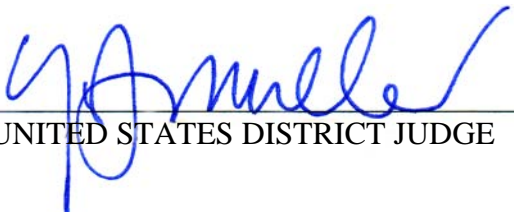
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<sup>1</sup> On August 11, 2011, plaintiff filed a document in which he states that he submitted his objections to the findings and recommendations to the law librarian to be copied but that his objections have not been returned. Plaintiff's five filings between August 11 and September 1, 2011, show that plaintiff is capable of filing documents in this action. Accordingly, the court disregards plaintiff's assertion at ECF No. 66 to the extent it suggests he is unable to file

1           The court presumes that any findings of fact are correct. *See Orand v. United*  
2 *States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are  
3 reviewed de novo. *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir.  
4 1983). Having carefully reviewed the file, the court finds the findings and recommendations to  
5 be supported by the record and by the proper analysis.

6           Accordingly, IT IS HEREBY ORDERED that:

- 7           1. The findings and recommendations filed July 28, 2011, are adopted in full; and
- 8           2. Plaintiff's motions for injunctive relief, ECF Nos. 50, 54, are denied.

9 DATED: November 30, 2011.

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12 UNITED STATES DISTRICT JUDGE

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26 objections. The findings and recommendations stand without objections having been filed by  
either party.