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

JAMISI JERMAINE CALLOWAY,) Case No.: 1:05-cv-01284-LJO-BAM (PC)
)
Plaintiff,) ORDER ADOPTING FINDINGS AND
) RECOMMENDATIONS REGARDING
v.) PLAINTIFF’S MOTION FOR AN INJUNCTION
) TO BE TRANSFERRED OUT OF CSATF CSP #11
A. K. SCRIBNER, et al.,) DAVITA INC. HEALTH CARE AND CSP #1
) CUSTODY
Defendants.)
)
) (ECF Nos. 114, 115)
)
)
)

Plaintiff Jamisi Jermaine Calloway (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff alleges Defendants Sergeant Montgomery, Officer Babb and Dr. Bhatt subjected Plaintiff to an unnecessary and painful enema procedure in violation of the Eighth Amendment’s prohibition against cruel and unusual punishment.

On October 17, 2013, the Magistrate Judge issued Findings and Recommendations that Plaintiff’s motion for an injunction to be transferred from the California Substance Abuse Treatment Facility to a medical facility be denied. The findings and recommendations were served on the parties and contained notice that any objections must be filed within thirty days after service. (ECF No. 115.) On November 12, 2013, Plaintiff filed objections. (ECF No. 120.)

1 In his objections, Plaintiff attempts to reargue the merits of his request for injunctive relief.
2 Although Plaintiff's allegations of alleged assault and retaliation following his filing of this action are
3 considered serious, the Court lacks jurisdiction in this case to order the California Department of
4 Corrections and Rehabilitation to transfer him to a medical facility.

5 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a de
6 novo review of this case. Having carefully reviewed the entire file, including Plaintiff's objections,
7 the Court finds the Findings and Recommendations to be supported by the record and by proper
8 analysis.

9 Accordingly, IT IS HEREBY ORDERED that:

- 10 1. The Findings and Recommendations, issued on October 17, 2013, are adopted in full; and
- 11 2. Plaintiff's motion for injunction to be transferred, filed on September 26, 2013, is
12 DENIED.

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14 IT IS SO ORDERED.

15 Dated: November 26, 2013

/s/ Lawrence J. O'Neill
16 UNITED STATES DISTRICT JUDGE
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