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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

RALPH KELLY HAWTHORNE, JR.,

Plaintiff,

v.

KATHY MENDOZA-POWER, et al.,

Defendants.

CASE NO. 1:07-cv-01101-LJO-DLB PC

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DENYING  
PLAINTIFF’S MOTION FOR  
PRELIMINARY INJUNCTION

ECF No. 124

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Plaintiff Ralph Kelly Hawthorne, Jr., (“Plaintiff”) is a California state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. On June 5, 2012, Plaintiff filed a motion requesting that the Court order the warden of Avenal State Prison to process his legal mail. ECF No. 114. The motion is construed as one for preliminary injunction. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On October 10, 2012, the Magistrate Judge filed a [Findings and Recommendations](#) which was served on the parties and which contained notice to the parties that any objection to the Findings and Recommendations was to be filed within fourteen days. ECF No. 124. After receiving an extension of time, Plaintiff filed an [Objection](#) to the Findings and Recommendations on November 13, 2012. ECF No. 127.

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

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Accordingly, IT IS HEREBY ORDERED that:

1. The Findings and Recommendations, filed October 10, 2012, is adopted in full; and
2. Plaintiff's motion, filed June 5, 2012, and construed as a motion for preliminary injunction, is denied.

IT IS SO ORDERED.

**Dated:** December 5, 2012

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