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7	UNITED STATES DISTRICT COURT		
8 9	EASTERN DISTRICT OF CALIFORNIA		
9 10	MICHAEL GONZALES,	CASE NO. 1:07-cv-01391-AWI-GBC (PC)	
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12		RECOMMENDATION DENYING	
13		TEMPORARY RESTRAINING ORDERS	
14	PRICE, et al.,	AND PRELIMINARY INJUNCTIONS	
15	Defendants.	(ECF Numbers 38, 39, 43 & 48) /	
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17	9	v. PLAINTIFF'S MOTIONS FOR TEMPORARY RESTRAINING ORDERS AND PRELIMINARY INJUNCTIONS Defendants. (ECF Numbers 38, 39, 43 & 48) / ORDER Plaintiff Michael Gonzales ("Plaintiff") is a state prisoner proceeding pro se and in the pauperis in this civil rights action pursuant to 42 U.S.C. § 1983.	
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19	forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. This action is proceeding on Plaintiff's original Complaint, filed September 21, 2007		
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21	(ECF No. 1), against Defendants Price,	Frescura, Vikjoid, Castro, and Pinzon for First	
22	Amendment violations (retaliation and mail interference). (ECF Nos. 12 & 15.)		
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25 26		, 2011, and April 29, 2011. (ECF Nos. 38, 39, &	
20 27	43.) In those Motions, Plaintiff alleges other prison officials are placing medication in his		
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¹ food as well as excessive force incidents with prison officials (not Defendants).

The matter was referred to a United State Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On July 14, 2011, the Magistrate Judge filed a Findings and Recommendation recommending that Plaintiff's Motions be denied. (ECF No. 48.) The Magistrate Judge found that Plaintiff failed to meet the legal prerequisites for injunctive relief.¹ Plaintiff did not file any objections.

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

Accordingly, IT IS HEREBY ORDERED that:

 The Findings and Recommendation, filed July 14, 2011, is ADOPTED; and
Plaintiff's Motions for Temporary Restraining Orders and Preliminary Injunctions are DENIED.

IT IS SO ORDERED.

Dated: <u>August 26, 2011</u>

CHIEF UNITED STATES DISTRICT JUDGE

¹ "A plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest." <u>Am. Trucking Ass'ns, Inc. v. City of Los Angeles</u>, 559 F.3d 1046, 1052 (9th Cir. 2009) (quoting <u>Winter v. Natural Res. Defense Council</u>, 129 S.Ct. 365, 374 (2008)).