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

JAMES EDWARD STANFIELD, SR.,	CASE NO. 1:07-cv-01786-OWW-YNP PC
Plaintiff,	FINDINGS AND RECOMMENDATIONS
v.	(Doc. 18)
STEVEN CALLAWAY, et al.,	OBJECTIONS DUE WITHIN 30 DAYS
Defendants.	

Plaintiff James Edward Stanfield, Sr. (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On May 4, 2009, Plaintiff filed a motion seeking a court order requiring the Fresno County Jail Sheriff’s Department to allow Plaintiff to access the legal library.

Plaintiff seeks injunctive relief. When an inmate seeks injunctive or declaratory relief concerning the prison where he is incarcerated, his claims for such relief become moot when he is no longer subjected to those conditions. Nelson v. Heiss, 271 F.3d 891, 897 (9th Cir. 2001); Dilley v. Gunn, 64 F.3d 1365, 1368 (9th Cir. 1995); Johnson v. Moore, 948 F.2d 517, 519 (9th Cir. 1991). Plaintiff was incarcerated at Fresno County Jail when he filed his motion. On October 28, 2009, the Court received a notice of change of address that shows that Plaintiff is currently incarcerated at Wasco State Prison. Therefore, Plaintiff’s request for injunctive relief for the conditions he was subjected to in Fresno County Jail have been rendered moot.

Accordingly, it is HEREBY RECOMMENDED that Plaintiff’s motion for preliminary injunctive relief, filed on May 4, 2009, be DENIED.

1           These Findings and Recommendations are submitted to the United States District Judge  
2 assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within thirty days  
3 after being served with these Findings and Recommendations, any party may file written objections  
4 with the Court and serve a copy on all parties. Such a document should be captioned “Objections  
5 to Magistrate Judge’s Findings and Recommendations.” Any reply to the objections shall be served  
6 and filed within ten days after service of the objections. The parties are advised that failure to file  
7 objections within the specified time may waive the right to appeal the District Court’s order.  
8 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

9  
10 IT IS SO ORDERED.

11 **Dated:** November 18, 2009

/s/ Sandra M. Snyder  
UNITED STATES MAGISTRATE JUDGE