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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

SY LEE CASTLE,		CASE NO. 1:08-cv-01754-AWI-SMS
Plaintiff,		ORDER ADOPTING FINDINGS AND
v.		RECOMMENDATIONS AND DENYING
A. HEDGPETH, et al.,		PLAINTIFF’S MOTIONS FOR APPOINTMENT
Defendants.		OF COUNSEL AND PRELIMINARY
		INJUNCTION
		(ECF Nos. 48, 65)
		ORDER DISCHARGING ORDER TO SHOW
		CAUSE
	/	(ECF Nos. 67, 68)

Plaintiff Sy Lee Castle (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

Plaintiff filed a [motion](#) seeking appointment of counsel and the issuance of a preliminary injunction on September 14, 2010. (ECF No. 48.) On February 7, 2011, the Magistrate Judge filed [findings and recommendations](#) herein which was served on the parties and which contained notice to the parties that any objections to the findings and recommendations were to be filed within thirty days. (ECF No. 65.) Thirty days has passed and no objections have been filed. On March 1, 2011, the Magistrate Judge issued an [order to show cause](#) why sanctions should not be issued for Defendants’ failure to file an opposition or statement of no opposition to Plaintiff’s motion to compel. (ECF No. 67.) Defendant filed a [response](#) on March 2, 2011, stating that, relying on his experience in the Southern and Central Districts of California, he was presuming that a briefing

1 schedule would be issued by the Court. (ECF No. 68.) Oppositions to Plaintiff's motions to compel
2 were filed on March 7, 2011. (ECF Nos. 69, 70, 71.) The Court will accept Defendant's explanation
3 and the order to show cause shall be discharged.

4 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a
5 de novo review of this case. Having carefully reviewed the entire file, the Court finds the findings
6 and recommendations, filed on February 7, 2011, to be supported by the record and by proper
7 analysis.

8 Accordingly, IT IS HEREBY ORDERED that:

- 9 1. The findings and recommendations, filed February 7, 2011, is adopted in full;
- 10 2. Plaintiff's motions for appointment of counsel and a preliminary injunction filed
11 September 14, 2010, are DENIED; and
- 12 3. The order to show cause, issued March 1, 2011, is DISCHARGED.

13 IT IS SO ORDERED.

14 Dated: April 18, 2011

15 
16 CHIEF UNITED STATES DISTRICT JUDGE