

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

SANTOS A. VILLEGAS,

CASE NO. 1:09-cv-00493-AWI-SKO PC

Plaintiff,

ORDER ADOPTING FINDINGS AND RECOMMENDATIONS

v.

ORDER DENYING REQUESTS FOR TEMPORARY RESTRAINING ORDERS

L.L. SCHULTEIS, et al.,

Defendants.

(Doc. 31, 33, 46, & 54)

Plaintiff Santos A. Villegas (“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.

On August 25, 2010, the Magistrate Judge issued a Findings and Recommendations which recommended that Plaintiff’s motions requesting preliminary injunctive relief be denied. (Doc. #54.) The Findings and Recommendations were served on all parties contained notice that any objections to the Findings and Recommendations were to be filed within thirty (30) days of the date on which the Findings and Recommendations were served. Plaintiff filed untimely objections to the Findings and Recommendations on October 25, 2010. (Doc. #63.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 305, 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. In addition to the reasons set forth by the Magistrate Judge, the undersigned also notes that Plaintiff seeks an injunction against numerous guards and entities that are not party to the lawsuit. The court

1 does not have personal jurisdiction over guards and entities not party to this action. See Price v. City
2 of Stockton, 390 F.3d 1105, 1117 (9th Cir. 2004) (per curiam) (“A federal court may issue an
3 injunction if it has personal jurisdiction over the parties and subject matter jurisdiction over the
4 claim; it may not attempt to determine the rights of persons not before the court.”)

5 Accordingly, the Court HEREBY ORDERS that:

- 6 1. The August 25, 2010 Findings and Recommendations are ADOPTED in full;
- 7 2. Plaintiff’s motions requesting preliminary injunctive relief, filed on April 1, 2010,
8 April 9, 2010, and June 18, 2010, are DENIED.

9
10 IT IS SO ORDERED.

11 Dated: November 13, 2010

12 
13 _____
14 CHIEF UNITED STATES DISTRICT JUDGE
15
16
17
18
19
20
21
22
23
24
25
26
27
28