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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GREGORY DOWNS,

CASE NO. 1:09-cv-00714-SMS PC

Plaintiff,

ORDER DENYING MOTION FOR
PRELIMINARY INJUNCTION

v.

(Doc. 25)

CALIFORNIA BOARD OF
PRISON TERMS, et al.,

Defendants.

Plaintiff Gregory Downs is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On April 7, 2010, Plaintiff filed a motion for preliminary injunction requesting that all of the California Board of Prison Terms hearings be stopped. (Doc. 25.)

18 U.S.C. § 3626(a)(1)(A) provides in relevant part, “Prospective relief in any civil action with respect to prison conditions shall extend no further than necessary to correct the violation of the Federal right of a particular plaintiff or plaintiffs. The court shall not grant or approve any prospective relief unless the court finds that such relief is narrowly drawn, extends no further than necessary to correct the violation of the Federal right, and is the least intrusive means necessary to correct the violation of the Federal right.”

Plaintiff’s Complaint was dismissed with leave to amend for failure to state any cognizable claims for which relief may be granted. (Doc. 13.) Plaintiff filed a First Amended Complaint which has not yet been, but will be screened in due course.

1 Since there are presently no cognizable claims for violation of any of Plaintiff's Federal rights
2 pending before the Court, there is no need for the Court to address Plaintiff's request for prospective
3 injunctive relief at this time.

4 Accordingly, Plaintiff's request for a preliminary injunction is HEREBY DENIED without
5 prejudice.

6
7 IT IS SO ORDERED.

8 **Dated:** April 12, 2010

/s/ Sandra M. Snyder
UNITED STATES MAGISTRATE JUDGE

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