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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

TOROMI WASHINGTON,

Plaintiff,

v.

DERRELL G. ADAMS, et al.,

Defendants.

CASE NO. 1:09-cv-827-OWW-MJS (PC)

FINDINGS AND RECOMMENDATIONS
RECOMMENDING THAT PLAINTIFF'S
MOTION FOR PRELIMINARY INJUNCTION
BE DENIED

(ECF No. 20)

OBJECTIONS DUE IN THIRTY DAYS

Plaintiff Toromi Washington ("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 February 4, 2011, Plaintiff moved the Court to intervene to ensure that conditions at her current prison in Arizona were properly maintained. (ECF No. 20.) The Court construes this as a motion for injunctive relief.

Federal courts are courts of limited jurisdiction, and as a preliminary matter, the Court must have before it an actual case or controversy. City of Los Angeles v. Lyons, 461 U.S. 95, 102 (1983); Jones v. City of Los Angeles, 444 F.3d 1118, 1126 (9th Cir. 2006). If the Court does not have an actual case or controversy before it, it has no power to hear the matter in question. Id.

Plaintiff's complaint in this action alleges that she was improperly transferred to a prison facility in Arizona. The Defendants are California Department of Correction employees who were involved in the transfer (or who failed to prevent the transfer). (ECF No. 19.) Inasmuch as any order relating to the conditions of Plaintiff's current confinement in the Arizona facility would not relate to the claim upon which her action proceeds, the

1 Court lacks jurisdiction to issue the order sought by Plaintiff.

2 Moreover, the Court has no jurisdiction to issue an order against individuals or
3 entities that are not parties to this litigation. Zenith Radio Corp. v. Hazeltine Research,
4 Inc., 395 U.S. 100, 110 (1969). The parties against whom Plaintiff seeks the injunction are
5 not named Defendants in this action.

6 The Court therefore recommends that Plaintiff's Motion for Injunctive Relief be
7 denied.

8 (To the extent that Plaintiff's Motion might be read as a motion to amend her
9 complaint to add allegations related to the conditions of confinement at the Arizona facility,
10 that too would be denied. Federal Rule of Civil Procedure 18 prohibits bringing unrelated
11 claims against separate defendants in the same action. Plaintiff's complaints regarding the
12 conditions of her current confinement are unrelated to the issue of the propriety of her
13 transfer to that facility.)

14 These Findings and Recommendations are submitted to the United States District
15 Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1).
16 Within **thirty (30) days** after being served with these findings and recommendations, the
17 Plaintiff may file written objections with the Court. Any such document should be captioned
18 "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised
19 that failure to file objections within the specified time may waive the right to appeal the
20 District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

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24 IT IS SO ORDERED.

25 Dated: February 14, 2011

1st Michael J. Seng
26 UNITED STATES MAGISTRATE JUDGE