

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

ANTHONY GASTON,

CASE NO. 1:09-cv-01434-AWI-SMS

Plaintiff,

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS, AND DENYING  
PLAINTIFF’S MOTION FOR TEMPORARY  
RESTRAINING ORDER

v.

TOMMY REDMON,

(ECF. Nos. 16, 26)

Defendant.

\_\_\_\_\_ /

Plaintiff Anthony Gaston (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Defendants removed this action from Kern County Superior Court on August 14, 2009. 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 the issuance of temporary restraining order on May 3, 2010. On February 3, 2011, the Magistrate Judge filed [findings and recommendations](#) which was served on the parties and contained notice to the parties that any objections to the findings and recommendations were to be filed within thirty days. More than thirty days have passed and no objections have been filed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), 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.

Accordingly, IT IS HEREBY ORDERED that:

- 1. The findings and recommendations, filed February 3, 2011, is adopted in full; and

1           2.       Plaintiff's motion for a temporary restraining order filed May 3, 2010 is DENIED.

2  
3 IT IS SO ORDERED.

4 Dated: March 22, 2011

  
\_\_\_\_\_  
CHIEF UNITED STATES DISTRICT JUDGE