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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

BILAL AHDOM,	)	1:09-cv-01874-AWI-BAM (PC)
	)	
Plaintiff,	)	ORDER ADOPTING FINDINGS AND
	)	RECOMMENDATIONS REGARDING
v.	)	PLAINTIFF’S MOTIONS FOR
	)	TEMPORARY RESTRAINING ORDER
S. LOPEZ, et al.,	)	AND REQUESTS FOR JUDICIAL NOTICE
	)	(ECF Nos. 106, 107, 108, 109, 110, 111, 116,
Defendants.	)	119)
	)	
	)	
	)	

Plaintiff Bilal Ahdom (“Plaintiff”), a state prisoner proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S. C. § 1983 on October 26, 2009. This action proceeds against Defendants Araich, Chen, Shittu, Ashby, S. Lopez, Spaeth and Schaefer for deliberate indifference to Plaintiff’s medical needs in violation of the Eighth Amendment.

On May 14, 2014, the Magistrate Judge issued Findings and Recommendations that Plaintiff’s requests for judicial notice be denied and that Plaintiff’s motions for a temporary restraining order be denied. The Findings and Recommendations were served on the parties and contained notice that any objections were to be filed within fourteen (14) days after service. On May 29, 2014, Plaintiff filed objections. (ECF No. 121.) Defendant Ashby filed a reply to the objections on June 5, 2014. (ECF No. 122.) No other objections or responses were filed.

Plaintiff first objects to the Magistrate Judge’s recommendation regarding denial of the requests for judicial notice. Plaintiff contends that affidavits are an appropriate source of facts or information in support of a motion for preliminary injunctive relief. Although Plaintiff correctly

1 notes that affidavits may provide relevant facts and information, the Magistrate Judge did not err  
2 in finding that such supporting affidavits are not properly subject to judicial notice. Fed. R.  
3 Evid. 201(b). Plaintiff appears to believe that by recommending denial of judicial notice the  
4 Magistrate Judge failed to consider Plaintiff's supporting affidavits. However, the Magistrate  
5 Judge expressly indicated that the allegations in Plaintiff's requests for judicial notice would be  
6 considered in connection with the motion for injunctive relief. (ECF No. 119, p. 2.)

7 Plaintiff also contends that the Magistrate Judge erred because Plaintiff met the standards  
8 for preliminary injunctive relief and demonstrated harassment, obstruction from accessing the  
9 courts, denial of his legal papers and resources and denial of medical care. However, the  
10 Magistrate Judge correctly determined, and Plaintiff admits, that the persons against whom he  
11 seeks injunctive relief are not defendants in this action. (ECF No. 119, p. 3; ECF No. 121, p. 3.)  
12 Plaintiff's assertion that the Magistrate Judge erred by recommending denial of the motions after  
13 ordering defendants to respond is unpersuasive. That the Magistrate Judge ordered a response  
14 from defendants in this action does not confer jurisdiction over non-parties.

15 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted  
16 a *de novo* review of this case. Having carefully reviewed the entire file, including Plaintiff's  
17 objections, the Court finds the findings and recommendations to be supported by the record and  
18 by proper analysis.

19 Accordingly, it is **HEREBY ORDERED** as follows:

- 20 1. The Findings and Recommendations issued on May 14, 2014, are adopted in full;
- 21 2. Plaintiff's requests for judicial notice are **DENIED**; and
- 22 3. Plaintiff's motions for a temporary restraining order are **DENIED**.

23  
24 **IT IS SO ORDERED.**

25 Dated: June 30, 2014

  
26 **SENIOR DISTRICT JUDGE**