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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SYLESTER WILLIAMS,
Plaintiff,
vs.
BOBBY PHILLIPS,
Defendant.

Case No. 1:10-cv-0131 AWI JLT (PC)
FINDINGS AND RECOMMENDATIONS
RECOMMENDING THAT PLAINTIFF’S
MOTION FOR INJUNCTIVE RELIEF BE
DENIED
(Doc. 31)

_____ /

Plaintiff is a state prisoner proceeding pro se and in forma pauperis with a civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff alleges that Defendant was deliberately indifferent to his health and safety in violation of the Eighth Amendment. On July 18, 2011, Plaintiff filed a motion seeking a transfer to a new institution of incarceration because the prison he is currently confined in has a known reputation for harassing prisoners and because the law library is severely limited there. (Doc. 31.)

The Prison Litigation Reform Act places restrictions on injunctive relief. It states, 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.” 18 U.S.C. § 3626(a)(1)(A). Here, Plaintiff’s allegations regarding harassment do not demonstrate a violation of a federal right. Moreover, the issues Plaintiff now raises have no relation to the allegations on which he is now proceeding in this action. Plaintiff’s motion for injunctive relief should therefore be denied. See Kaimowitz v. Orlando, 122 F.3d 41, 43 (11th Cir. 1997) (preliminary injunctive relief is not proper

1 for matters that are outside the scope of the lawsuit's issues); Devose v. Harrington, 42 F.3d 470, 471
2 (8th Cir. 1994) (per curiam) (same).

3 Accordingly, it is **HEREBY RECOMMENDED** that Plaintiff's July 18, 2011 motion for
4 injunctive relief (Doc. 31) be **DENIED**.

5 These findings and recommendations are submitted to the United States District Judge assigned
6 to the case pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days after being served
7 with these findings and recommendations, Plaintiff may file and serve objections with the Court. A
8 document containing objections should be captioned "Objections to Magistrate Judge's Findings and
9 Recommendations." Plaintiff is advised that failure to file objections within the specified time may
10 waive the right to appeal the District Court's order. See Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

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12 IT IS SO ORDERED.

13 Dated: July 27, 2011

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/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE