

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Plaintiff Tracy Taylor (“Plaintiff”) is a state prisoner proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On March 25, 2013, the Magistrate Judge issued Findings and Recommendations that (1) Plaintiff's motion for preliminary injunction and/or protective order, filed on January 9, 2012, be denied; and (2) Plaintiff's motion for preliminary injunction and/or protective order, filed on March 23, 2012, be denied. The Findings and Recommendations were served on Plaintiff and contained notice that any objections to the Findings and Recommendations were to be filed within thirty days. On April 17, 2013, Plaintiff filed his objections. Defendants did not respond to the objections.

In his objections, Plaintiff attempts to clarify that his second motion for preliminary injunction was directed at Calipatria State Prison officials to prevent their destruction of Plaintiff's religious artifacts (tobacco, bell, ceramic holder, abalone shell and C.D. player). (ECF No. 107, p. 2.) Plaintiff

1 also seeks an order directing officials at California State Prison – Lancaster to allow him religious
2 items. The Magistrate Judge correctly found that such relief was not warranted in this action. Plaintiff
3 essentially seeks injunctive relief against individuals who are not named parties to this lawsuit; that is,
4 employees at Calipatria State Prison and employees at California State Prison – Lancaster. Plaintiff
5 lacks standing to pursue injunctive relief against these individuals. Further, this Court has no personal
6 jurisdiction over these individuals for the purpose of issuing injunctive relief.

7 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a de
8 novo review of this case. Having carefully reviewed the entire file, including Plaintiff's objections,
9 the Court finds the Findings and Recommendations to be supported by the record and by proper
10 analysis.

11 Accordingly, IT IS HEREBY ORDERED that:

12 1. The Findings and Recommendations issued March 25, 2013, are adopted in full;
13 2. Plaintiff's motion for preliminary injunction and/or protective order filed on January 9,
14 2012 is DENIED; and
15 3. Plaintiff's motion for preliminary injunction and/or protective order filed on March 23,
16 2012 is DENIED.

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20 IT IS SO ORDERED.

21 Dated: May 14, 2013

22 /s/ Lawrence J. O'Neill
23 UNITED STATES DISTRICT JUDGE