

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

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GRAHAM ROGER LEE DE LUIS CONTI, CASE No. 1:10-cv-01852-LJO-MJS (PC)

Plaintiff,

v.

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

(ECF Nos. 35, 36)

M. CATES, et al.,

Defendants.

_____ /

Plaintiff Graham Roger Lee De Luis Conti, a state prisoner incarcerated at the California Substance Abuse and Treatment Facility ("CSATF"), is proceeding pro se and in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. (Complaint, ECF No. 1.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. 636(b)(1)(B) and Local Rule 302 of the United States District Court for the Eastern District of California.

1 On July 19, 2012, findings and recommendations denying Plaintiff's motion for
2 temporary restraining order without prejudice (Findings and Recommendations Denying
3 Mot., ECF No. 36) were filed in which the Magistrate Judge recommended that Plaintiff's
4 motion for temporary restraining order (ECF No. 35) be denied without prejudice as he
5 failed to provide facts which would enable a finding that he is in need of and entitled to
6 injunctive relief. The parties were notified that objection, if any, was due within fourteen
7 days. The fourteen day deadline has passed without any party having filed objections or
8 seeking an extension of time to do so.

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

14
15 Accordingly, IT IS HEREBY ORDERED that:

- 16 1. The Court adopts the Findings and Recommendations filed July 19, 2012,
17 in full, and
18 2. Plaintiff's Motion for Temporary Restraining Order (ECF No. 35) is DENIED
19 without prejudice.
20

21
22
23 IT IS SO ORDERED.

24 Dated: August 15, 2012

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