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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

KAJAUNA KENYATTA IRVIN,

Plaintiff,

v.

JAMES A. YATES, et al.,

Defendants.

CASE NO. 1:10-cv-01940-GBC (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS

ORDER DENYING MOTION FOR  
PRELIMINARY INJUNCTION

(Documents #12 & #21)

**I. Procedural History**

Plaintiff Kajauna K. Irvin (“Plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983 and 42 U.S.C. § 2000cc-1 (the Religious Land Use and Institutionalized Persons Act of 2000 (“RLUIPA”)). Plaintiff originally filed the action in the Fresno County Superior Court as case No. 10 CECG 03023 on August 30, 2010. Defendants removed this action on October 14, 2010. (Doc. 2.). On November 3, 2010, Plaintiff filed the first amended complaint. (Doc. 5). Plaintiff’s claims arise from events that occurred while Plaintiff was at Pleasant State Valley Prison at Coalinga, California. (Doc. 5). Plaintiff is currently housed at the Richard J. Donovan Correctional Facility, in San Diego, California. (Docs. 19, 20). On December 28, 2010, Plaintiff filed a motion for injunctive relief to obtain certain religious accommodations. (Doc. 12).

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 August 1, 2011, the Magistrate Judge filed a Findings and Recommendations herein which was served on Plaintiff which contained notice that any objections

1 to the Findings and Recommendations were to be filed within thirty days. (Doc. 21). On October  
2 3, 2011, Plaintiff filed objections.

3 **II. Conclusion and Order**

4 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a  
5 de novo review of this case. Plaintiff argues in his objections that his request for injunctive relief  
6 is against the entire CDCR. However, since the CDCR are not parties to this action, the Court does  
7 not have jurisdiction to order injunctive relief against the CDCR. Having carefully reviewed the  
8 entire file, the Court finds the Findings and Recommendations to be supported by the record and by  
9 proper analysis.

10 Accordingly, IT IS HEREBY ORDERED that:

- 11 1. The Findings and Recommendations entered on August 1, 2011 are ADOPTED in  
12 full; and  
13 2. Plaintiff's motion for injunctive relief is DENIED. (Doc. 12).

14 IT IS SO ORDERED.

15 Dated: January 27, 2012

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18 CHIEF UNITED STATES DISTRICT JUDGE  
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