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

ROBIN GILLEN STARR,

1:11-cv-02108-AWI-GSA-PC

Plaintiff,

ORDER ADOPTING FINDINGS
AND RECOMMENDATIONS
(Doc. 24.)

vs.

A. TREVINO, M.D., et al.,

ORDER DENYING MOTION FOR
PRELIMINARY INJUNCTIVE RELIEF
(Doc. 4.)

Defendants.

_____ /

Robin Gillen Starr (“Plaintiff”) is a state prisoner proceeding pro se 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 July 16, 2012, [findings and recommendations](#) were entered, recommending that Plaintiff’s motion for preliminary injunctive relief be denied. On July 26, 2012, Plaintiff filed [objections](#) to the findings and recommendations.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, the Court finds the motion for a preliminary injunction should be denied. A party seeking a preliminary injunction must demonstrate that the party is likely to succeed on the merits, that the party is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of

1 equities tips in the party's favor, and that an injunction is in the public interest. Winter v. Natural
2 Res. Def. Council, Inc., – U.S. – , 129 S.Ct. 365, 374 (2008); National Meat Ass'n v. Brown, 599
3 F.3d 1093, 1097 (9th Cir. 2010). Here, Plaintiff's December 22, 2011 motion for a preliminary
4 injunction only alleges broad constitutional violations, along with some form of service. The
5 Winter factors are not even remotely addressed. Thus, the motion must be denied.

6 Accordingly, THE COURT HEREBY ORDERS that:

- 7 1. The Findings and Recommendations issued by the Magistrate Judge on July 16, 2012,
8 are adopted; and
- 9 2. Plaintiff's motion for preliminary injunctive relief, filed on December 22, 2011, is
10 DENIED.

11 IT IS SO ORDERED.

12 Dated: September 5, 2012



CHIEF UNITED STATES DISTRICT JUDGE

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