

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
28

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

BRYAN E. RANSOM,

Plaintiff,

vs.

RODOLFO AGUIRRE, et al.,

Defendants.

) 1:12cv01343 AWI DLB PC
)
)
) ORDER ADOPTING FINDINGS
) AND RECOMMENDATIONS AND
) DENYING PLAINTIFF’S MOTION FOR
) TEMPORARY RESTRAINING ORDER
) AND PERMANENT INJUNCTION
)
) (Document 18)

Plaintiff Bryan E. Ransom (“Plaintiff”) is a prisoner in the custody of the California Department of Corrections and Rehabilitation (“CDCR”). Plaintiff is proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. Defendants removed the action on August 16, 2012. On March 27, 2013, Plaintiff filed a Motion for Temporary Restraining Order and Permanent Injunction. 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 April 3, 2013, the Court issued [Findings and Recommendations](#) that Plaintiff’s Motion be denied. On April 24, 2013, Plaintiff filed [objections](#).

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this Court has conducted a de novo review of this case. Having carefully reviewed the entire file, including Plaintiff’s

1 objections, the Court finds that the Findings and Recommendations are supported by the record
2 and by proper analysis.

3 Plaintiff's objections are based on his contention that the Defendants and time period at
4 issue in his motion are properly before the Court in his First Amended Complaint. However, by
5 separate Findings and Recommendations, the Court has dismissed these Defendants and all
6 claims subsequent to October 2011. The Magistrate Judge was correct in concluding that the
7 Court does not have jurisdiction to issue the requested relief, even if he would be entitled to such
8 relief.

9
10 Plaintiff also raises a Type 2 diabetes diagnosis, but this does not alter the fact that that
11 Court does not have jurisdiction over the time period, or Defendants, at issue. Plaintiff may file
12 a new action to raise these issues.

13 Accordingly, IT IS HEREBY ORDERED that:

- 14 1. The Findings and Recommendations, filed April 3, 2013, are ADOPTED in full;
- 15 2. Plaintiff's Motion for Temporary Restraining Order and Permanent Injunction is
16 DENIED.

17
18
19 IT IS SO ORDERED.

20 Dated: May 7, 2013


21 SENIOR DISTRICT JUDGE