UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

TYRE'ID O.I. HODGES,) Case No.: 1:13-cv-00654-DAD-SAB (PC)
Plaintiff,	ORDER CONSTRUING PLAINTIFF'S MOTION FOR INJUNCTIVE RELIEF AS OBJECTIONS TO
v.	THE FINDINGS AND RECOMMENDATIONS AND DISREGARD AS UNTIMELY
JERALD SHARON, et al.,) (ECF No. 68)
Defendants.)
)

Plaintiff Tyre'Id O.I. Hodges is appearing in forma pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. On July 28, 2016, findings and recommendations issued recommending granting in part and denying in part Defendants' motion for summary judgment. Plaintiff filed objections to the findings and recommendations on August 15, 2016. On August 24, 2016, counsel was appointed for Plaintiff for the limited purpose of settlement in this action; and Plaintiff filed additional objections to the findings and recommendations. Defendants filed objections to the findings and recommendations on August 26, 2016. On September 8, 2016, Plaintiff filed a motion to strike Defendants' objections to the findings and recommendations. On October 28, 2016, Plaintiff filed a motion for emergency injunctive relief.

While Plaintiff entitles his motion as a motion for emergency injunctive relief, it is merely raising the issues that are currently before the district court on the findings and recommendations. Therefore, the Court construes the motion as an additional objection to the findings and

recommendations and it shall be disregarded as untimely filed and duplicative of the two prior objections that have been filed.

Plaintiff is advised that he has now been appointed counsel in this action for the settlement conference only and a settlement conference has been scheduled for November 29, 2016.

Based on the foregoing, IT IS HEREBY ORDERED that Plaintiff's motion for emergency injunctive relief is construed as additional objections to the findings and recommendations and is DISREGARDED as untimely filed. Plaintiff is advised that no further filings of this nature that are duplicative of the issues currently pending resolution on the findings and recommendations will be considered and will be stricken if filed.

IT IS SO ORDERED.

Dated: **October 31, 2016**

UNITED STATES MAGISTRATE JUDGE