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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

GREGORY ELL SHEHEE,  
Plaintiff,  
v.  
NGUYEN, et al.,  
Defendants.

**Case No.: 1:14-cv-01154-LJO-MJS (PC)**  
**ORDER ADOPTING FINDINGS AND**  
**RECOMMENDATIONS TO DENY**  
**PLAINTIFF'S MOTION FOR ADA**  
**(ECF No. 86)**

Plaintiff is a civil detainee proceeding pro se and in forma pauperis in this civil rights action filed pursuant to 42 U.S.C. § 1983. The case proceeds on Plaintiff's third amended complaint against Defendants Audrey king, April Leavens, Long Moua, and Kim Nguyen for denying Plaintiff a cane and access to educational services in violation of the Americans with Disabilities Act ("ADA") and the Eighth Amendment of the United States Constitution. (ECF No. 34.) 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 28, 2017, Plaintiff filed a motion captioned as "requesting ADA from the Clerk of Court ADA American with Disabilities Act Title II." It was docketed as "Motion for ADA." (ECF No. 77.) The motion appears to be a letter directed to the Clerk of Court stating that Plaintiff's current jailers at Fresno County Jail -- a non-party -- are not assisting him with his case and he needs such assistance because of his disability. (Id.

1 at 1.) Plaintiff then asks “can you help?” (Id.)

2 The Magistrate Judge assigned to this case interpreted this motion as one for  
3 injunctive relief, seeking a Court Order to force Fresno County Jail authorities to assist  
4 Plaintiff in pursuing his claim in this Court.

5 On February 14, 2018, the Magistrate Judge issued findings and  
6 recommendations to deny Plaintiff’s motion. (ECF No. 86.) Plaintiff was directed to file  
7 his objections within fourteen days. Plaintiff’s objections were filed on February 20, 2018.  
8 (ECF No. 88.)

9 Plaintiff’s one-paged objections reiterates Plaintiff’s request in the initial motion.  
10 Plaintiff sets forth no new arguments or facts.

11 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304,  
12 the Court has conducted a de novo review of Plaintiff’s request. The Court finds the  
13 findings and recommendations to be supported by the record and by proper analysis.  
14 Plaintiff has made no showing that he is entitled to injunctive relief at this time. The Court  
15 will deny his request. If new circumstances arise in the future that warrant consideration,  
16 Plaintiff may renew his request at that time.

17 Accordingly, it is HEREBY ORDERED that:

- 18 1. The findings and recommendations filed on February 14, 2018 (ECF No.  
19 86) are adopted in full; and
- 20 2. Plaintiff’s “motion for ADA” (ECF No. 77) is DENIED.

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22 IT IS SO ORDERED.

23 Dated: March 5, 2018

/s/ Lawrence J. O’Neill  
UNITED STATES CHIEF DISTRICT JUDGE

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