

1 In the instant motion, Plaintiff requests “that this court cease the violation of plaintiff
2 constitutional rights by Warden K. Holland and her Captains M. Bryant and B. Sanders because they
3 has [sic] been out to get the plaintiff since 2010 when the plaintiff filed his first administrative
4 appeal.” (Mot. at 1; ECF No. 37.) This action is proceeding on Plaintiff’s allegations that due to a
5 racial conflict between Plaintiff and Mexican inmates, officers gave inmates Plaintiff’s property and
6 exposed his transcripts over the tier to appease the Mexican inmates to resolve the conflict. Plaintiff
7 contends Defendants Rizer, Eberle, Meyers, Emerson, Sanchez, Chavez, Mello, Lundy, and
8 Magallance deliberately took his trial transcripts and circulated them to inmates in order to spread the
9 rumor that Plaintiff was a “snitch” and a “rat.”

10 The Court’s jurisdiction is limited to the parties before it in this action and to Plaintiff’s claim
11 for which this action is proceeding. See, e.g., Steel Co. v. Citizens for a Better Env’t, 523 U.S. 83,
12 103-04 (1998) (“[The] triad of injury in fact, causation, and redressability constitutes the core of
13 Article III’s case-or-controversy requirement, and the party invoking federal jurisdiction bears the
14 burden of establishing its existence.”) (citation omitted); American Civil Liberties Union of Nevada v.
15 Masto, 670 F.3d 1046, 1061-62 (9th Cir. 2012) (“[F]ederal courts may adjudicate only actual, ongoing
16 cases or controversies.”) (citation and internal quotation marks omitted). The Court does not have
17 jurisdiction over individuals who are not parties to this suit, and the Court cannot issue the order
18 Plaintiff seeks. Summers, 555 U.S. 488, 493 (2009); Mayfield, 599 F.3d 964, 969 (9th Cir. 2010).
19 Plaintiff’s inability to meet the “irreducible constitutional minimum of standing” with respect to the
20 relief he seeks is fatal to his motion. Steel Co., 523 U.S. at 103-04 (quoting Lujan, 504 U.S. at 560-
21 61).

22 II.

23 RECOMMENDATION

24 Based on the foregoing, it is HEREBY RECOMMENDED that Plaintiff’s third motion for
25 injunctive relief, filed on December 22, 2016, be DENIED.

26 This Findings and Recommendation will be submitted to the United States District Judge
27 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within **thirty (30) days** after
28 being served with this Findings and Recommendation, Plaintiff may file written objections with the

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Court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file objections within the specified time may result in the waiver of rights on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014) (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).

IT IS SO ORDERED.

Dated: January 4, 2017


UNITED STATES MAGISTRATE JUDGE