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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JON L. NYLAND,
Plaintiff,
v.
CALAVERAS COUNTY SHERIFF’S JAIL,
Defendant.

Case No. 1:15-cv-00886 DLB PC
ORDER DENYING MOTION FOR
INJUNCTIVE RELIEF
[ECF No. 15]

Plaintiff Jon L. Nyland, a pretrial detainee proceeding pro se and in forma pauperis, filed this civil rights action pursuant to 42 U.S.C. § 1983 on June 11, 2015.¹ On July 17, 2015, the Court screened and dismissed the complaint with leave to amend.

Pending before the Court is Plaintiff’s request for injunctive relief filed on July 23, 2015. Plaintiff requests immediate relief for alleged tampering with his legal mail by jail staff. A preliminary injunction is an extraordinary remedy never awarded as of right. Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 24 (2008) (citation omitted). For each form of relief sought in federal court, Plaintiff must establish standing. Summers v. Earth Island Institute, 555 U.S. 488, 493 (2009) (citation omitted); Mayfield v. United States, 599 F.3d 964, 969 (9th Cir. 2010) (citation omitted). This requires Plaintiff to show that he is under threat of

¹ On June 18, 2015, Plaintiff consented to the jurisdiction of the Magistrate Judge.

1 suffering an injury in fact that is concrete and particularized; the threat must be actual and
2 imminent, not conjectural or hypothetical; it must be fairly traceable to challenged conduct of the
3 defendant; and it must be likely that a favorable judicial decision will prevent or redress the
4 injury. Summers, 555 U.S. at 493 (quotation marks and citation omitted); Mayfield, 599 F.3d at
5 969. Further, any award of equitable relief is governed by the Prison Litigation Reform Act,
6 which provides in relevant part, “Prospective relief in any civil action with respect to prison
7 conditions shall extend no further than necessary to correct the violation of the Federal right of a
8 particular plaintiff or plaintiffs. The court shall not grant or approve any prospective relief
9 unless the court finds that such relief is narrowly drawn, extends no further than necessary to
10 correct the violation of the Federal right, and is the least intrusive means necessary to correct the
11 violation of the Federal right.” 18 U.S.C. § 3626(a)(1)(A).

12 As noted above, the Court screened and dismissed the complaint with leave to file an
13 amended complaint. In light of Plaintiff’s failure to state any claim upon which relief may be
14 granted, there is no actual case or controversy before the Court at this time, and Court lacks the
15 jurisdiction to issue the orders sought by Plaintiff. Summers, 555 U.S. at 493; Mayfield, 599
16 F.3d at 969.

17 **ORDER**

18 For the reasons set forth above, IT IS HEREBY ORDERED that Plaintiff’s motion for
19 injunctive relief is DENIED.

20 IT IS SO ORDERED.

21
22 Dated: July 25, 2015

/s/ Dennis L. Beck
23 UNITED STATES MAGISTRATE JUDGE