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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

MONICO J. QUIROGA III,  
Plaintiff,  
v.  
SERGEANT GRAVES, et al.,  
Defendant.

No. 1:16-cv-00234-DAD-GSA (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DENYING  
PLAINTIFF’S MOTION FOR  
PRELIMINARY INJUNCTIVE RELIEF

(Doc. No. 61)

Plaintiff Monico J. Quiroga III is a prisoner proceeding *pro se* and *in forma pauperis* with this civil rights action brought pursuant to 42 U.S.C. § 1983. 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 22, 2019, the assigned magistrate judge issued findings and recommendations, recommending that plaintiff’s April 19, 2019 motion (Doc. No. 60)—which the magistrate judge construed as a motion for preliminary injunctive relief—be denied because: (1) to the extent that plaintiff seeks injunctive relief against prison officials at High Desert State Prison, the court lacks jurisdiction over those officials as they are not named as defendants in the present action; and (2) to the extent that plaintiff’s motion seeks injunctive relief against prison officials at Kern County Sheriff’s Detention Facility—some of whom were named as defendants in this action—the court must deny plaintiff’s motion because he is no longer housed at that jail facility. (Doc. No. 61.)

1 The findings and recommendations were served on plaintiff and contained notice that any  
2 objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 3.) To date,  
3 plaintiff has not filed any objections, and the time to do so has since passed.

4 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the undersigned has  
5 conducted a *de novo* review of this case. Having carefully reviewed the entire file, the  
6 undersigned concludes that the findings and recommendations are supported by the record and  
7 proper analysis.

8 Accordingly,

- 9 1. The findings and recommendations issued on April 22, 2019 (Doc. No. 61) are  
10 adopted in full; and
- 11 2. Plaintiff's motion for preliminary injunctive relief (Doc. No. 60) is denied.

12 IT IS SO ORDERED.

13 Dated: July 1, 2019

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16 UNITED STATES DISTRICT JUDGE  
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