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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

LENDWARD ALTON MIXON, JR.,
Plaintiff,
v.
H. TYSON, et al.,
Defendants.

No. 1:16-cv-01868-DAD-BAM (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS DENYING
PLAINTIFF'S MOTION FOR A
PRELIMINARY INJUNCTION

(Doc. Nos. 34, 35)

Plaintiff Lendward Alton Mixon, Jr. is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action under 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. This case proceeds on plaintiff's first amended complaint against defendants Jimenez and Metts for deliberate indifference to serious medical needs in violation of the Eighth Amendment.

On January 16, 2019, plaintiff filed a motion to make court aware of circumstances regarding discovery, which the court construed as a motion seeking a preliminary injunction. (Doc. No. 34.) In his filing, plaintiff seeks a court order directing correctional officers to return his discovery paperwork. (*Id.*)

On January 18, 2019, the assigned magistrate judge issued findings and recommendations, recommending that plaintiff's motion for preliminary injunction be denied. (Doc. No. 35.) The

1 findings and recommendations were served on plaintiff and contained notice that any objections
2 were to be filed within fourteen (14) days after service. (*Id.*) To date, no objections to the
3 findings and recommendations have been filed, and the time in which to do so has now passed.

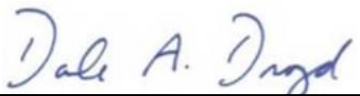
4 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this court has conducted a
5 *de novo* review of this case. Having carefully reviewed the entire file, the court finds the findings
6 and recommendations to be supported by the record and by proper analysis.

7 Accordingly,

- 8 1. The findings and recommendations issued on January 18, 2019 (Doc. No. 35) are
9 adopted in full; and
- 10 2. Plaintiff's motion for a preliminary injunction (Doc. No. 34) is denied.

11 IT IS SO ORDERED.

12 Dated: April 17, 2019

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15 UNITED STATES DISTRICT JUDGE

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