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8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 ERIK ABELINO MARCELENO,

12 Plaintiff,

13 vs.

14 CALIFORNIA DEPARTMENT OF
15 CORRECTIONS AND
REHABILITATION, et al.,

16 Defendants.
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1:17-cv-01136-LJO-GSA-PC

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(ECF No. 15.)**

**ORDER DENYING PLAINTIFF'S
MOTION FOR PRELIMINARY
INJUNCTIVE RELIEF
(ECF No. 11.)**

19 Erik Abelino Marceleno (“Plaintiff”) is a state prisoner proceeding *pro se* and *in forma*
20 *pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to
21 a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

22 On March 21, 2018, findings and recommendations were entered, recommending that
23 Plaintiff’s motion for preliminary injunctive relief be denied. (ECF No. 15.) Plaintiff was
24 granted fourteen days in which to file objections to the findings and recommendations. (*Id.*)
25 On April 2, 2018, Plaintiff filed a response to the findings and recommendations, indicating
26 that he has no objections to the findings and recommendations, because his motion for
27 preliminary injunctive relief is now moot. (ECF No. 16.) No other objections have been filed,
28 and the time for filing objections has expired.

1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this
2 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file,
3 the court finds the findings and recommendations to be supported by the record and proper
4 analysis.

5 Accordingly, **THE COURT HEREBY ORDERS** that:

- 6 1. The findings and recommendations issued by the Magistrate Judge on March 21,
7 2018, are ADOPTED IN FULL; and
- 8 2. Plaintiff's motion for preliminary injunctive relief, filed on December 22, 2017,
9 is DENIED.

10 IT IS SO ORDERED.

11 Dated: April 19, 2018

12 /s/ Lawrence J. O'Neill
13 UNITED STATES CHIEF DISTRICT JUDGE