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8 **UNITED STATES DISTRICT COURT**  
9 **EASTERN DISTRICT OF CALIFORNIA**  
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11 ERIC M. WILLIAMS,

12 Plaintiff,

13 v.

14 T. AMAY, *et al.*,

15 Defendants.  
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**Case No. 1:17-cv-01332-AWI-EPG (PC)**

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS, DENYING  
PLAINTIFF'S MOTION FOR A  
TEMPORARY RESTRAINING ORDER**

(ECF Nos. 13, 27)

18 Plaintiff is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights  
19 action pursuant to 42 U.S.C. § 1983. This action proceeds on Plaintiff's claims of deliberate  
20 indifference to serious medical needs in violation of the Eighth Amendment and for retaliation in  
21 violation of the First Amendment against Defendants, Dr. Teresita Amay, Dr. Navdeep Baath, and  
22 Dr. Bunn. Plaintiff alleges, among other things, that Defendants denied him Wellbutrin even  
23 though he has a medical need for the medication, and that they denied him Wellbutrin in retaliation  
24 for his verbal conduct of asserting his need for Wellbutrin and asserting his rights under prison  
25 regulations. (ECF No. 1.)

26 On February 1, 2018, Plaintiff filed a motion requesting a temporary restraining order.  
27 (ECF No. 13.) Plaintiff contends in his motion that his prescription for Wellbutrin expired on  
28 February 15, 2017, and requests the Court direct the California Department of Corrections and

1 Rehabilitation (“CDCR”) to immediately renew his prescription for Wellbutrin. (*Id.*) Defendants  
2 oppose the motion. (ECF Nos. 19, 25, 26.)

3 On February 27, 2018, the Court directed Defendants to file their response to Plaintiff’s  
4 motion for a temporary restraining order. (ECF No. 15.) On March 20, 2018, Defendants filed their  
5 opposition to Plaintiff’s motion. (ECF No. 19.)

6 On August 29, 2018, the Magistrate Judge filed Findings and Recommendations  
7 recommending that Plaintiff’s motion for a temporary restraining order be denied. (ECF No. 27.)  
8 The Findings and Recommendations were served on Plaintiff and contained notice that objections  
9 were to be filed within fourteen days. (*Id.* at 6-7.) More than fourteen days have passed, and no  
10 objections were filed.

11 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a  
12 *de novo* review of this case. Having carefully reviewed the entire file, the Court finds the Findings  
13 and Recommendations to be supported by the record and by proper analysis.

14 Accordingly, IT IS HEREBY ORDERED that:

- 15 1. The Findings and Recommendations entered on August 29, 2018 (ECF No. 27) are  
16 ADOPTED in full; and
- 17 2. Plaintiff’s motion for a temporary restraining order, filed on February 1, 2018 (ECF  
18 No. 13) is DENIED.

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20 IT IS SO ORDERED.

21 Dated: September 26, 2018

  
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22 SENIOR DISTRICT JUDGE  
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