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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHRISTOPHER LIPSEY, JR.,

Plaintiff,

v.

B. SEITZ, et al.,

Defendants.

No. 1:18-cv-00766-AWI-SKO (PC)

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

(Docs. 44, 51)

Plaintiff Christopher Lipsey, Jr., is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action. This matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On July 27, 2020, the assigned magistrate judge filed findings and recommendations, recommending that Plaintiff’s third motion for a preliminary injunction (Doc. 44) be denied. (Doc. 51.) The magistrate judge found that (1) Plaintiff failed to show that he is likely to suffer irreparable harm without the requested relief and (2) his requested injunction is unrelated to the claims in this lawsuit. (*Id.* at 3-4). The findings and recommendations were served on Plaintiff and provided him 21 days to file objections thereto. (*Id.* at 4.) Plaintiff filed timely objections on August 17, 2020. (Doc. 57.)

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, including Plaintiff’s

1 objections, the Court finds the findings and recommendations to be supported by the record and
2 proper analysis. The Court agrees with the magistrate judge’s finding that Plaintiff fails to show
3 he will *likely* suffer irreparable harm in the absence of the requested injunction. The Court also
4 agrees that Plaintiff’s motion is unrelated to the operative claims in this action and that his
5 requested relief is beyond the scope of “that to which he would be entitled if he were to succeed
6 at trial in this case.” (Doc. 51 at 4.)

7 Accordingly, the Court ORDERS:

- 8 1. The findings and recommendations filed on July 27, 2020 (Doc. 51) are ADOPTED
9 in full; and,
- 10 2. Plaintiff’s motion for a preliminary injunction (Doc. 44) is DENIED.

11 IT IS SO ORDERED.

12 Dated: September 9, 2020

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15 SENIOR DISTRICT JUDGE