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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JEROME MARKIEL DAVIS,
Plaintiff,

v.

STATE OF CALIFORNIA, et al.,
Defendants.

No. 1:18-cv-00832-DAD-BAM (PC)

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

(Doc. Nos. 35, 37)

Plaintiff Jerome Markiel Davis is appearing *pro se* and *in forma pauperis* in this civil rights action 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.

This case now proceeds on plaintiff’s claim against defendant Roberts in her individual capacity for deliberate indifference to a substantial risk of serious harm in violation of the Eighth Amendment. On October 23, 2019, plaintiff filed a motion requesting that the court order CDCR to provide him with envelopes, stationary, and pens, on the basis that he is an indigent pro per inmate. (Doc. No. 35.)

On November 19, 2019, the assigned magistrate judge issued findings and recommendations, construing plaintiff’s motion as seeking preliminary injunctive relief and recommending that plaintiff’s motion be denied because the court lacks jurisdiction over

1 individuals who are not parties to this action. (Doc. No. 37.) Plaintiff was granted fourteen days
2 in which to file objections to the findings and recommendations. (*Id.* at 3.) Plaintiff has not filed
3 any objections, and the time do so has now passed.

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

7 Accordingly,

- 8 1. The findings and recommendations issued on November 19, 2019 (Doc. No. 37)
9 are adopted in full; and
- 10 2. Plaintiff's motion for preliminary injunctive relief filed on October 23, 2019 (Doc.
11 No. 35) is denied.

12 IT IS SO ORDERED.

13 Dated: January 23, 2020

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16 UNITED STATES DISTRICT JUDGE

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