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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICKY TYRONE FOSTER,
Plaintiff,
v.
C. BAKER, et al.,
Defendants.

No. 1:18-cv-01511-DAD-SAB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
PLAINTIFF’S REQUEST FOR INJUNCTIVE
RELIEF

(Doc. Nos. 20, 21)

Plaintiff Ricky Tyrone Foster is a state prisoner proceeding *pro se* in this civil rights action under 42 U.S.C. § 1983. 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 February 18, 2020, plaintiff filed a declaration in which he contends that he is being subjected to retaliation “by Corcoran officials for filing and pursuing both prison grievances and section 1983’s against Corcoran officials.” (Doc. No. 20 at 2.) In his declaration, plaintiff requests that the court order prison officials to “cease and desist any and all forms of retaliations against plaintiff,” “issue plaintiff a loaner office typewriter for plaintiff to continue with his litigations,” and purchase a new typewriter at the state’s expense for the prison’s law library and grant him access to use it. (*Id.* at 4–5.)

1 On February 20, 2020, the assigned magistrate judge issued findings and
2 recommendations, construing plaintiff's declaration as a request for preliminary injunctive relief
3 and recommending that plaintiff's request be denied because: (1) the preliminary injunctive relief
4 that plaintiff seeks is not of the same character as the relief he seeks in his operative complaint;
5 (2) the court lacks jurisdiction over individuals who are not parties to this action; (3) there is no
6 constitutional right to access a typewriter; and (4) plaintiff has not shown that any limitations in
7 his access to a typewriter or the law library has impeded his access to the courts. (Doc. No. 21 at
8 2-3.) The pending findings and recommendations were served on plaintiff and contained notice
9 that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 4.) To
10 date, no objections to the pending findings and recommendations have been filed, and the time in
11 which to do so has now passed.

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

15 Accordingly,

- 16 1. The findings and recommendations issued on February 20, 2020 (Doc. No. 21) are
17 adopted in full; and
- 18 2. Plaintiff's request for preliminary injunctive relief filed on February 18, 2020
19 (Doc. No. 20) is denied.

20 IT IS SO ORDERED.

21 Dated: April 7, 2020

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24 UNITED STATES DISTRICT JUDGE
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