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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICHARD A. EVANS,  
Plaintiff,  
v.  
S. SHERMAN, et al.,  
Defendants.

No. 1:19-cv-00226-DAD-BAM (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DENYING  
MOTION FOR PRELIMINARY  
INJUNCTION

(Doc. No. 28)

Plaintiff Richard Evans is a state prisoner proceeding *pro se* and *in forma pauperis* 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 10, 2020, plaintiff filed a motion requesting that he be transferred to San Quentin State Prison because he is allegedly having difficulties accessing the law library resources at the California Substance Abuse Treatment Facility in Corcoran where he is currently incarcerated and, according to plaintiff, San Quentin State Prison has a law office and no law library limitations. (Doc. No. 28.) On February 13, 2020, the assigned magistrate judge issued finding and recommendations recommending that plaintiff’s motion, which the magistrate judge construed as a motion for a preliminary injunction, be denied because plaintiff “does not have a constitutional right to be incarcerated at a particular correctional facility (or to be transferred from

1 one facility to another).” (Doc. No. 31 at 2.) The pending findings and recommendations were  
2 served on plaintiff and contained notice that any objections thereto were to be filed within  
3 fourteen (14) days from the date of service. (*Id.* at 3.) On February 27, 2020, plaintiff filed  
4 timely objections to the pending findings and recommendations. (Doc. No. 35.)

5 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the undersigned has  
6 conducted a *de novo* review of the case. Having carefully reviewed the entire file, including  
7 plaintiff’s objections, the undersigned concludes that the findings and recommendations are  
8 supported by the record and proper analysis.

9 In his objections to the pending findings and recommendations, plaintiff merely reiterates  
10 the arguments presented in his motion. (Doc. No. 35.) Accordingly, plaintiff’s objections  
11 provide no basis upon which to reject the pending findings and recommendations.

12 Accordingly:

- 13 1. The findings and recommendations issued on February 13, 2020 (Doc. No. 31) are  
14 adopted in full; and
- 15 2. Plaintiff’s motion for a preliminary injunction (Doc. No. 28) is denied.

16 IT IS SO ORDERED.

17 Dated: April 3, 2020

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20 UNITED STATES DISTRICT JUDGE  
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