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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

FRANKIE MENDEZ,  
  
                                Plaintiff,  
  
                                v.  
  
DIAZ, *et al.*,  
  
                                Defendants.

No. 1:19-cv-01759-NONE-BAM (PC)  
  
ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS REGARDING  
DENIAL OF PLAINTIFF’S MOTION FOR A  
TEMPORARY RESTRAINING ORDER AND  
A PRELIMINARY INJUNCTION  
  
(Doc. Nos. 3, 13)

Plaintiff Frankie Mendez is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 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 March 10, 2020, the assigned magistrate judge issued findings and recommendations recommending denial of plaintiff’s motion for a temporary restraining order and a preliminary injunction because the conduct which plaintiff sought to enjoin took place at a plaintiff’s prior place of incarceration and plaintiff had not demonstrated that he had a reasonable expectation of returning to that prison. (Doc. No. 13.) The findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 5.) Plaintiff has not filed objections, and the deadline to do so has expired.

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1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this court has conducted a  
2 *de novo* review of the case. Having carefully reviewed the entire file, the court concludes that the  
3 Magistrate Judge's findings and recommendations are supported by the record and by proper  
4 analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The findings and recommendations issued on March 10, 2020, (Doc. No. 13), are adopted  
7 in full;
- 8 2. Plaintiff's motion for temporary restraining order and preliminary injunction, (Doc. No.  
9 3), is denied; and
- 10 3. The matter is referred back to the assigned magistrate judge for further proceedings  
11 consistent with this order.

12 IT IS SO ORDERED.

13 Dated: April 15, 2020

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16 UNITED STATES DISTRICT JUDGE  
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