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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RICARDO MARTINEZ,
Plaintiff,
v.
C. PFEIFFER, *et al.*,
Defendants.

No. 1:19-cv-01768-DAD-SAB (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DISMISSING
CASE AS DUPLICATIVE

(Doc. No. 13, 20)

Plaintiff Ricardo Martinez is 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 January 9, 2020, the assigned magistrate judge issued findings and recommendations, recommending that the instant action be dismissed as duplicative of *Martinez v. Standon*, Case No. 1:19-cv-00845-DAD-SAB (PC) (E.D. Cal. Dec. 11, 2019) and *Martinez v. Lewis*, No. 1:19-cv-00812-DAD-SAB (PC) (E.D. Cal. Dec. 16, 2019). (Doc. No. 13.) The findings and recommendations were served on plaintiff and contained notice that objections thereto were due within twenty-one (21) days of service of the order. (*Id.*) No objections were filed and the time to do so has now passed.

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1 While the above findings and recommendations were pending, the magistrate judge issued
2 another set of findings and recommendations on March 6, 2020, recommending that plaintiff's
3 motion for an emergency preliminary injunction be denied. (Doc. Nos. 19, 20.) Those findings
4 and recommendations were served on plaintiff and contained notice that objections thereto were
5 due within fourteen (14) days of service. (Doc. No. 20.) Plaintiff filed timely objections on
6 March 16, 2020. (Doc. No. 21.)


7 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this
8 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file,
9 including plaintiff's objections, the court concludes that the findings and recommendations are
10 supported by the record and proper analysis.

11 Accordingly,

- 12 1. The findings and recommendations issued on January 9, 2020 and March 6, 2020
13 (Doc. Nos. 13, 20) are adopted in full;
- 14 2. The instant action is dismissed as duplicative;
- 15 3. Plaintiff's motion for an emergency preliminary injunction (Doc. No. 19) is
16 denied; and
- 17 4. The Clerk of the Court is directed to close this case.

18 IT IS SO ORDERED.

19 Dated: April 9, 2020

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22 UNITED STATES DISTRICT JUDGE
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