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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

<p>TIMOTHY D. HUDKINS,</p> <p style="padding-left: 40px;">Plaintiff,</p> <p style="padding-left: 80px;">v.</p> <p>K. CLARK, et al.,</p> <p style="padding-left: 40px;">Defendants.</p>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p>Case No.: 1:21-cv-01473 JLT GSA (PC)</p> <p>ORDER ADOPTING FINDINGS AND RECOMMENDATIONS IN FULL AND DENYING PLAINTIFF’S MOTION FOR INJUNCTIVE RELIEF</p> <p>(Docs. 2, 28)</p>
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Timothy D. Hudkins is a state prisoner proceeding *pro se* with this civil rights case under 42 U.S.C. § 1983. Plaintiff requests the Court order officials at Corcoran State Prison to protect him from abuse, retaliation, physical violence, property abuse, “obstruction of access to the courts,” and destruction of legal documents. (*See* Doc. 2.)

On April 26, 2022, the assigned magistrate judge found the motion for preliminary injunctive relief was premature. (Doc. 28 at 2.) The magistrate judge noted Plaintiff was “not entitled to preliminary injunctive relief until such time as the court finds that his complaint contains cognizable claims for relief against the named defendants *and* the named defendants have been served with the summons and complaint.” (*Id.*, emphasis in original.) Because the defendants have not received service, the magistrate judge found the Court lacks jurisdiction over the defendants at this time. (*Id.*, at 2-3, citing *Zepeda v. U.S. Immigr. & Naturalization Serv.*, 753 F.2d 719, 727 (9th Cir. 1985).) Therefore, the magistrate judge recommended the request for injunctive relief be denied. (*Id.* at 3.)

1 The Court granted Plaintiff 14 days to file objections to the Findings and Recommendations.
2 (Doc. 28 at 3.) In addition, the Court informed Plaintiff that the “failure to file objections within the
3 specified time may result in the waiver of rights on appeal.” (*Id.*, citing *Wilkerson v. Wheeler*, 772
4 F.3d 834, 838-39 (9th Cir. 2014); *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991).).

5 According to 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, the Court conducted a *de novo*
6 review of this action. Having carefully reviewed the entire file, the Court concludes the Findings and
7 Recommendations are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 8 1. The Findings and Recommendations issued by the magistrate judge on April 26, 2022
9 (Doc. 28), are adopted in full.
- 10 2. Plaintiff’s motion for injunctive relief (Doc. 2) is denied.

11
12 IT IS SO ORDERED.

13 Dated: May 27, 2022


UNITED STATES DISTRICT JUDGE