1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF CALIFORNIA 10 11 EARL DAVIS SR, Case No. 1:22-cv-1632 JLT HBK (PC) Plaintiff, ORDER ADOPTING FINDINGS AND 12 RECOMMENDATIONS AND DENYING PLAINTIFFS' MOTIONS FOR INJUNCTIVE 13 v. **RELIEF** 14 E. CLOAK, et al., (Docs. 36, 39, 48, and 53) 15 Defendants. 16 Earl Davis Sr. is a state prisoner proceeding pro se and in forma pauperis in this action 17 filed pursuant to 42 U.S.C. § 1983. Plaintiff filed three motions seeking injunctive relief: a 18 motion for a restraining order on August 7, 2023 (Doc. 36); a motion for preliminary injunction 19 on August 28, 2023 (Doc. 39); and second motion for preliminary injunction September 28, 2023 20 (Doc. 48). 21 On October 31, 2023, the Magistrate Judge issued Findings and Recommendations, 22 finding Plaintiff failed to show he was entitled to the requested relief and recommending the 23 motions be denied. (Doc. 53 at 8-11.) The Court served the Findings and Recommendations on 24 Plaintiff and notified him that any objections were to be filed within fourteen days. (*Id.* at 11.) 25 The Court also informed him that the failure to file timely objections may result in a waiver of his 26 rights on appeal. (*Id.*, citing *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014).) 27 Plaintiff did not file any objections and the time to do so has expired. 28

1	According to 28 U.S.C. § 636(b)(1)(C), the Court performed a <i>de novo</i> review of this			
2	case. Having carefully reviewed the entire file, the Court concludes the Findings and			
3	Recommendations to be supported by the record and by proper analysis. Thus, the Court			
4	ORDERS:			
5	1.	The Findings and Recom	mendations filed	on October 31, 2023 (Doc. 53) are
6		ADOPTED in full.		
7	2.	Plaintiff's motion for a temporary restraining order (Doc. 36) is DENIED .		
8	3.	Plaintiff's motion for a preliminary injunction (Doc. 39) is DENIED .		
9	4.	Plaintiff's motion for a p	reliminary injunct	ion (Doc. 48) is DENIED .
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11	IT IS SO OF	RDERED.		00 :44 1 7 44 1/2
12	Dated:	December 8, 2023		Olmin L. Thursday UNITED STATES DISTRICT JUDGE
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