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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

DANIEL STEVE DIXON,  
Plaintiff,  
v.  
J.S. O’CONNOR, et al.,  
Defendants.

2:08-CV-01546-LDG

**ORDER**

Plaintiff Daniel Steve Dixon has filed a motion for preliminary injunction (#31), a request for entry of default (#34), and a motion to consolidate civil actions (#35). The court must deny Dixon’s motion for preliminary injunction because Defendants have not yet been served, and consequently have not appeared, and therefore a motion for preliminary injunction is not yet proper. *See* Fed. R. Civ. P. 65(a)(1). In any event, Dixon has failed to demonstrate the likelihood, not mere possibility, of irreparable injury in the absence of a preliminary injunction. *See Stormans, Inc. v. Selecky*, 586 F.3d 1109, 1127 (9th Cir. 2009) (citing *Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 129 S. Ct. 365, 374 (2008)). The court notes, however, that Dixon may again move for preliminary injunction when procedurally appropriate, provided that he is either actually transferred or can demonstrate more than mere speculation of transfer to another facility. Additionally, Dixon’s request for entry of default judgment is premature in light of this court’s recent order regarding service of process upon Defendants. Finally, Dixon’s motion to consolidate civil actions is denied for the reasons stated in Judge Newman’s order (2:10-cv-1441-GEB-KJN, #25). Accordingly,

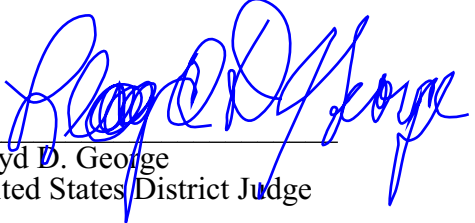
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THE COURT HEREBY ORDERS that Dixon's motion for preliminary injunction (#31) is DENIED.

THE COURT FURTHER ORDERS that Dixon's request for entry of default (#34) is DENIED.

THE COURT FURTHER ORDERS that Dixon's motion to consolidate civil actions (#35) is DENIED.

Dated this 5 day of April, 2011.

  
Lloyd D. George  
United States District Judge