IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES EVANS, JR.,

Plaintiff, No. 2:09-cv-0292 WBS JFM (PC)

vs.

D. K. SISTO, et al.,

Defendants. ORDER

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Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On December 22, 2010, plaintiff filed a motion for leave to amend his complaint. On March 8, 2011, plaintiff filed a motion styled as a motion for preliminary injunction but which seeks no specific injunctive relief from the court. On May 2, 2011, plaintiff filed a motion styled as a motion for a three judge court.

In all three motions, plaintiff continues to contend that the California Department of Corrections and Rehabilitation lacks jurisdiction to keep him in custody. That contention has been found to be without merit, and the claim raised by plaintiff in this action which rested thereon has been dismissed. See Findings and Recommendations filed March 30, 2010, at 3-4; Order filed May 5, 2010. Plaintiff's motions will be denied.

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In accordance with the above, IT IS HEREBY ORDERED that:

1. Plaintiff's December 22, 2010 motion to amend his complaint is denied;

2. Plaintiff's March 8, 2011 motion is denied; and

3. Plaintiff's May 2, 2011 motion is denied.

DATED: August 12, 2011.

UNITED STATES MAGISTRATE JUDGE

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