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

VINCENTE SOLOMON,

Plaintiff,

No. CIV S-10-2103 WBS GGH P

vs.

J. NEGRETE, et al.,

Defendants.

ORDER and

FINDINGS AND RECOMMENDATIONS

_____ /

Plaintiff, a state prisoner proceeding pro se, seeks relief pursuant to 42 U.S.C. § 1983. On June 21, 2011 (docket # 26), this court filed an order finding plaintiff’s first amended complaint appropriate for service upon some of the named defendants as to specific claims. In a concurrent filing (docket # 27), the court filed findings and recommendations, recommending dismissal of a number of defendants and claims. In addition, the court recommended dismissal of plaintiff’s second motion for preliminary injunctive relief, which had been filed on June 3, 2011. On the same day, June 21, 2011, plaintiff filed yet another putative motion for preliminary injunction, seeking an “emergency transfer,” predicated again on his claim that his life is in danger at CCI. Plaintiff has provided no declaration in support of this latest request and the court will not again set forth the standards that must be met for preliminary injunctive relief of which this most recent filing falls far short. Instead, the undersigned now recommends dismissal of this

1 request for the reasons incorporated in the findings and recommendations already pending and
2 filed on June 21, 2011 (docket # 27).

3 Further, IT IS ORDERED that plaintiff no longer engage in the seriatim filing of
4 inadequately supported and inapposite requests for preliminary injunctive relief, particularly
5 while such a request is still pending; should he continue to do so, this court will disregard such
6 filings.

7 Accordingly, IT IS HEREBY RECOMMENDED that plaintiff's defective motion
8 for preliminary injunctive relief, filed on June 21, 2011 (docket # 28), be denied.

9 These findings and recommendations are submitted to the United States District
10 Judge assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen
11 days after being served with these findings and recommendations, any party may file written
12 objections with the court and serve a copy on all parties. Such a document should be captioned
13 "Objections to Magistrate Judge's Findings and Recommendations." Any reply to the objections
14 shall be served and filed within fourteen days after service of the objections. The parties are
15 advised that failure to file objections within the specified time may waive the right to appeal the
16 District Court's order. Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

17 DATED: June 24, 2011

/s/ Gregory G. Hollows

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GREGORY G. HOLLOWES
UNITED STATES MAGISTRATE JUDGE

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