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

MORRIS MESTER,

Plaintiff,

No. CIV S-10-2105 LKK EFB P

vs.

KELSO, et al.,

Defendants.

ORDER

_____ /

On February 22, 2011, plaintiff filed a notice of voluntary dismissal. Dckt. No. 57. On February 28, 2011, the court issued an order allowing defendants to file a document stipulating to dismissal of this action without prejudice pursuant to Rule 41(a)(1)(A)(ii), and indicating that if defendants stipulated as such, the parties' filings would be construed together as a stipulation for voluntary dismissal without prejudice pursuant to Rule 41(a)(1)(A)(ii). Dckt. No. 59. On March 1, 2011, defendants filed a stipulation to plaintiff's request for dismissal. Dckt. No. 60. Thereafter, the Clerk of the Court dismissed this action.

On March 28, 2011, after this case was dismissed, plaintiff filed a motion for a preliminary injunction. Dckt. No. 63. Plaintiff's motion must be denied as this case is now closed. If plaintiff wishes to pursue any claims for relief, he must first exhaust those claims through available administrative procedures at his place of confinement, and then commence a new civil rights action by filing a new civil rights complaint.

1 Accordingly, IT IS HEREBY ORDERED that plaintiff's March 28, 2011 motion is
2 denied. The court notes that it will issue no response to future filings by plaintiff in this action
3 not authorized by the Federal Rules of Civil Procedure or Federal Rules of Appellate Procedure.

4 Dated: April 7, 2011.

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6 EDMUND F. BRENNAN
7 UNITED STATES MAGISTRATE JUDGE
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