

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

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

SPENCER BERRY,

Plaintiff,

No. 2:12-cv-0363 KJN P

vs.

DOROTHY SWINGLE, et al.,

Defendants.

ORDER

_____ /

Plaintiff, a state prisoner proceeding without counsel, filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On August 29, 2012, the undersigned filed findings and recommendations herein which were served on all parties and which contained notice to all parties that any objections to the findings and recommendations were to be filed within twenty-one days. Neither party filed objections to the findings and recommendations.


In the meantime, the parties consented to proceed before the undersigned for all purposes. See 28 U.S.C. § 636(c). On November 5, 2012, the district court reassigned this case to the undersigned.

///

1 For the reasons set forth in the August 29, 2012 findings and recommendations,
2 plaintiff's motion for injunctive relief is denied.

3 Accordingly, IT IS HEREBY ORDERED that plaintiff's motion for injunctive
4 relief (dkt. nos. 18, 36) is denied.

5 DATED: December 7, 2012

6
7 
8 KENDALL J. NEWMAN
9 UNITED STATES MAGISTRATE JUDGE

10 berr0636.801

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26