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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

WILLIAM D. FARLEY,  
Plaintiff,  
v.  
T. VIRGA, et al.,  
Defendants.

No. 2: 13-cv-1751 KJN P  
ORDER AND  
FINDINGS AND RECOMMENDATIONS

Plaintiff is a state prisoner, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. Pending before the court is plaintiff’s motion for injunctive relief filed June 10, 2014. (ECF No. 56.) For the following reasons, the undersigned recommends that this motion be denied.

This action is proceeding on the amended complaint filed November 13, 2013. (ECF No. 11.) All defendants are located at California State Prison-Sacramento (“CSP-Sac”). Plaintiff is now housed at California State Prison-Corcoran (“Corcoran”).

In the pending motion, plaintiff requests that he be provided with adequate medical and mental health care. Plaintiff seeks injunctive relief against individuals who are not named as defendants in this action, i.e., prison officials at Corcoran. This court is unable to issue an order against individuals who are not parties to a suit pending before it. See Zenith Radio Corp. v. Hazeltine Research, Inc., 395 U.S. 100, 112 (1969). For this reason, plaintiff’s motion for

1 injunctive relief should be denied.

2 Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court shall appoint a  
3 district judge to this action; and


4 IT IS HEREBY RECOMMENDED that plaintiff's motion for injunctive relief (ECF No.  
5 56) be denied.

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

14 Dated: July 18, 2014

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16 Far1751.pi

  
KENDALL J. NEWMAN  
UNITED STATES MAGISTRATE JUDGE

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