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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

FLOYD ESPEY,
Plaintiff,
v.
DEUEL VOCATIONAL INSTITUTION,
Defendants.

No. 2: 13-cv-2147 TLN 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 are plaintiff’s requests for injunctive relief contained in his letters filed October 16, 2013, and October 29, 2013. For the following reasons, these requests for injunctive relief should be denied.

In his letters filed October 16, 2013, and October 29, 2013, plaintiff alleges that he received inadequate medical care from defendants at Deuel Vocational Institution (“DVI”). On November 4, 2013, the court ordered defendants to respond to plaintiff’s allegations of inadequate medical care. On November 18, 2013, defendants filed a response.

On November 12, 2013, plaintiff filed a letter with the court stating that he has been transferred to Pleasant Valley State Prison (“PVSP”). When an inmate seeks injunctive or declaratory relief concerning the prison where he is incarcerated, his claims for such relief become moot when he is no longer subjected to those conditions. See Weinstein v. Bradford, 423

1 U.S. 147, 149 (1975); Dilley v. Gunn, 64 F.3d 1365, 1368-69 (9th Cir. 1995). Because plaintiff is
2 no longer housed at DVI, his claims for injunctive relief regarding conditions at DVI are moot.

3 Plaintiff did not file a notice of change of address reflecting his new address at PVSP. It
4 is the plaintiff's responsibility to keep the court apprised of his current address at all times. The
5 court will direct the Clerk of the Court to amend court records to reflect plaintiff's new address.
6 However, in the future, it is plaintiff's duty to file a notice of change of address reflecting any
7 address change.

8 Accordingly, IT IS HEREBY ORDERED that:


- 9 1. The Clerk of the Court shall amend court records to reflect plaintiff's new address at
10 Pleasant Valley State Prison, P.O. Box 8500, Coalinga, California, 93210;
11 2. The Clerk of the Court shall serve a copy of this order and findings and
12 recommendations on Deputy Attorney General Maureen C. Onyeagbako; and

13 IT IS HEREBY RECOMMENDED that plaintiff's requests for injunctive relief contained
14 in his letters filed October 16, 2013, and October 29, 2013 be denied.

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

23 Dated: November 25, 2013

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE