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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ROSS H. DE SPENZA,
Petitioner,
v.
DISTRICT ATTORNEY, LOS ANGELES
COUNTY STATE OF CALIFORNIA,
Respondents.

No. 2:14-cv-1212 KJN P

ORDER

Petitioner, a state prisoner proceeding pro se, has filed a motion styled, Motion for Order for Statute Enforcement.” (ECF No. 1.) 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 June 9, 2014, the undersigned filed findings and recommendations herein which were served on petitioner and which contained notice to petitioner that any objections to the findings and recommendations were to be filed within fourteen days. Subsequently, petitioner consented to proceed before the undersigned for all purposes. See 28 U.S.C. § 636(c).

Petitioner has not filed objections to the findings and recommendations. However, on June 23, 2014, petitioner filed a second consent to proceed before the undersigned for all purposes.

Accordingly, IT IS HEREBY ORDERED that:

1. Petitioner’s motion for injunctive relief (ECF No. 1) is denied;

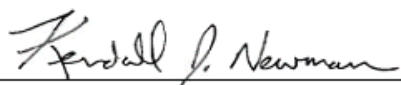
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2. This action is dismissed without prejudice for the reasons set forth in the June 9, 2014 findings and recommendations (ECF No. 4); and

3. To the extent petitioner sought habeas relief pursuant to 28 U.S.C. § 2254, the court declines to issue the certificate of appealability referenced in 28 U.S.C. § 2253.

Dated: July 10, 2014

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE