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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MILES SANDERS,
Plaintiff,
v.
G. DELYON, et al.,
Defendants.

No. 2:14-cv-2291 KJN P

ORDER

On October 14, 2014, the undersigned magistrate judge granted petitioner’s application to proceed in forma pauperis, and directed the assignment of a district judge to review the undersigned’s recommendations that plaintiff’s motion for stay and abeyance be denied, that his motion for injunctive relief be denied, and that the action be dismissed. (See ECF No. 10.) The basis for these recommendations lay in the absence of a constitutional right for inmates to be housed at a particular prison and in plaintiff’s failure to exhaust administrative remedies. (Id.)

Petitioner thereafter filed a notice of consent to proceed pursuant to the jurisdiction of the undersigned magistrate judge for all purposes. See 28 U.S.C. § 636(c); Local Rule 305(a). (ECF No. 12.) In addition, petitioner filed a notice of change of address; petitioner was previously incarcerated at La Palma Correctional Center in Arizona, but is now detained at Mule Creek State Prison. (ECF No. 13.) Petitioner has filed no objections to the findings and recommendations, and there is no basis for modifying the undersigned’s prior conclusion that plaintiff’s motions

1 should be denied and this action dismissed.

2 For these reasons, and good cause appearing, IT IS HEREBY ORDERED that:

3 1. The Clerk of Court is directed to:

4 (a) redesignate the undersigned's order and findings and recommendations filed on
5 October 14, 2014 (ECF No. 10) as an order; and

6 (b) withdraw the assignment of a district judge to this action; and

7 2. For the reasons stated in this court's order filed October 14, 2014 (ECF No. 10),

8 (a) Plaintiff's motion for stay and abeyance (ECF No. 4) is denied;

9 (b) Plaintiff's motion for injunctive relief (ECF No. 5) is denied; and

10 (c) This action is dismissed without prejudice.

11 Dated: December 9, 2014

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KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE