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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALLEN HAMMLER,

 Plaintiff,

 v.

J. WRIGHT,

 Defendant.

No. 2:15-cv-01645-TLN-EFB

ORDER

Plaintiff, a state prisoner proceeding pro se, has 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 February 4, 2019, the magistrate judge 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 fourteen days. (ECF No. 120.) Neither party has filed objections to the findings and recommendations.

On February 4, 2019, the magistrate judge also ordered supplemental briefing from defendant as to the applicability of the All Writs Act with respect to Plaintiff’s requests (ECF Nos. 105, 112, and 117) for (1) an order commanding that prison officials not search Plaintiff’s legal files outside his presence and that he not be separated from his legal files unless there is a genuine safety concern; and (2) an order commanding that Plaintiff’s legal files and work product

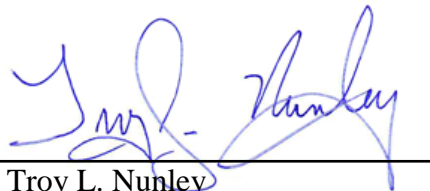
1 be returned to him. (ECF No. 120 at 3–4.) Subsequently, the date for trial was continued from
2 April 1, 2019 to January 13, 2020. (ECF No. 134.) At this time, therefore, a court order is not
3 “necessary” for the proper administration of justice, as required by the All Writs Act. *See* 28
4 U.S.C. § 1651(a). Plaintiff may make use of the prison’s internal administrative grievance
5 process to resolve his requests concerning access to his legal property.

6 The Court has reviewed the file and finds the findings and recommendations to be
7 supported by the record and by the magistrate judge’s analysis. Accordingly, IT IS HEREBY
8 ORDERED that:

- 9 1. The findings and recommendations filed February 4, 2019, are adopted in full; and
- 10 2. Plaintiff’s motions for preliminary injunctive relief seeking an order returning him to
11 CSP-Sac (ECF No. 108) and for assistance in obtaining and protecting his legal property (ECF
12 Nos. 105, 112, and 117) are denied without prejudice.

13 Dated: April 7, 2019

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Troy L. Nunley
United States District Judge