



1 To obtain preliminary injunctive relief a claimant must show that he is likely to succeed  
2 on the merits of his case, that he is likely to suffer irreparable harm in the absence of injunctive  
3 relief, that the balance of equities is in his favor, and that the injunction is in the public's interest.  
4 See *Winter v. NRDC, Inc.*, 555 U.S. 7, 20 (2008). The bar is particularly high in this case because  
5 the requested relief encroaches on questions of prison administration. See *Bell v. Wolfish*, 441  
6 U.S. 520, 547 (1970).

7 Plaintiff's motion does not address the *Winter* factors; instead, he contends, without  
8 elaboration, that defendants' presence jeopardizes his safety and causes an unsafe environment.  
9 That conclusory statement is insufficient to warrant the relief he seeks. See *Caribbean Marine*  
10 *Servs. Co. v. Baldrige*, 844 F.2d 668, 674 (9th Cir. 1988) ("Speculative injury does not constitute  
11 irreparable injury sufficient to warrant granting a preliminary injunction.").

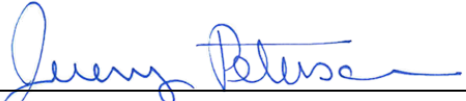
12 Accordingly, it is hereby ORDERED that the November 10, 2021 order to show cause,  
13 ECF No. 29, is discharged.

14 Further, it is RECOMMENDED that plaintiff's motion for injunctive relief, ECF No. 28,  
15 be denied.

16 I submit these findings and recommendations to the district judge under  
17 28 U.S.C. § 636(b)(1)(B) and Rule 304 of the Local Rules of Practice for the United States  
18 District Court, Eastern District of California. The parties may, within 14 days of the service of  
19 the findings and recommendations, file written objections to the findings and recommendations  
20 with the court. Such objections should be captioned "Objections to Magistrate Judge's Findings  
21 and Recommendations." The district judge will review the findings and recommendations under  
22 28 U.S.C. § 636(b)(1)(C).

23  
24 IT IS SO ORDERED.

25 Dated: December 8, 2021

26   
27 JEREMY D. PETERSON  
28 UNITED STATES MAGISTRATE JUDGE

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