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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

KRZYSZTOF F. WOLINSKI,
Plaintiff,
v.
LAURA ELDRIDGE, et al.,
Defendants.

No. 2:19-cv-02037-DAD-DMC (PC)

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
PLAINTIFF’S MOTIONS FOR INJUNCTIVE
RELIEF

(Doc. Nos. 69, 70, 71, 73, 74, 75)

Plaintiff Krzysztof F. Wolinski is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action filed pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 15, 2024 and May 1, 2024, plaintiff filed motions for injunctive relief, specifically requesting a court order directing prison officials at the California Medical Facility to grant plaintiff access to the prison law library as a preferred user under the Americans with Disabilities Act. (Doc. Nos. 69, 70.) On May 15, 2024, the assigned magistrate judge issued findings and recommendations recommending that plaintiff’s motions for injunctive relief be denied because plaintiff has not satisfied the requirements to obtain injunctive relief, specifically that plaintiff has not demonstrated a likelihood of success on the merits or irreparable harm absent the requested injunctive relief. (Doc. No. 71.) Moreover, in the findings and recommendations, the magistrate judge explained that “[t]o the extent plaintiff requires additional time due to

1 limited law library access, the court will entertain [a] request for additional time for good cause
2 shown.” (*Id.* at 2.)

3 The pending findings and recommendations were served on plaintiff and contained notice
4 that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 3.) To
5 date, plaintiff has not filed any objections and the time in which to do so has passed. Instead,
6 plaintiff filed three additional motions for injunctive relief seeking a court order directing the
7 prison law librarian to provide plaintiff access to ADA computers enabled with certain software
8 programs. (Doc. Nos. 73, 74, 75.) In those motions, however, plaintiff has likewise not
9 demonstrated a likelihood of success on the merits or irreparable harm absent the requested
10 injunctive relief, and thus plaintiff’s additional motions for injunctive relief will be denied for the
11 same reasons. Notably, plaintiff did not address the requirements for obtaining injunctive relief,
12 even though the court has consistently denied plaintiff’s multiple requests for injunctive relief
13 throughout this litigation due to his failure to satisfy those requirements.

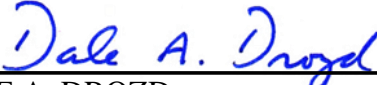
14 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 304, this
15 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the
16 court finds the findings and recommendations to be supported by the record and proper analysis.

17 Accordingly,

- 18 1. The findings and recommendations issued on May 15, 2024 (Doc. No. 71) are
19 adopted in full;
- 20 2. Plaintiff’s motions for injunctive relief (Doc. Nos. 69, 70, 73, 74, 75) are denied;
21 and
- 22 3. This matter is referred back to the assigned magistrate judge for further
23 proceedings.

24 IT IS SO ORDERED.

25 Dated: August 27, 2024

26 
27 DALE A. DROZD
28 UNITED STATES DISTRICT JUDGE