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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

JUAN CARLOS CALDERON,  
Plaintiff,  
v.  
P. COVELLO, et al.,  
Defendants.

No. 2:23-cv-2049 WBS CSK P

ORDER

Plaintiff, a state prisoner proceeding pro se, 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 July 1, 2024, the magistrate judge filed findings and recommendations recommending that plaintiff's motion for reasonable judgment and reasonable consideration of equitable relief and motion to reconsider equitable relief, etc., construed as motions for injunctive relief, be denied. (ECF No. 53.) On July 12, 2024, plaintiff filed a pleading this Court construes as objections to the findings and recommendations. (ECF No. 54.)

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

1 analysis.<sup>1</sup>

2 Accordingly, IT IS HEREBY ORDERED that:

3 1. The findings and recommendations (ECF No. 53) are adopted in full; and

4 2. Plaintiff's motion for reasonable judgment and reasonable consideration of equitable  
5 relief (ECF No. 45) and motion to reconsider equitable relief, etc. (ECF No. 50), construed as  
6 motions for injunctive relief, are denied.

7 Dated: August 29, 2024



8 WILLIAM B. SHUBB  
9 UNITED STATES DISTRICT JUDGE

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25 <sup>1</sup> In his objections, plaintiff appears to raise claims not raised in the pending motions for  
26 injunctive relief against individuals who are not parties to this action. A district court “has  
27 discretion, but is not required,” to consider evidence and claims raised for the first time in  
28 objections to a magistrate judge’s report. See United States v. Howell, 231 F.3d 615, 621 (9th  
Cir. 2000). This Court declines to consider the new claims raised in plaintiff’s objections. In  
addition, the Court cannot issue an order against individuals who are not parties to the action. See  
Zenith Radio Corp. v. Hazeltine Research, Inc., 395 U.S. 100, 112 (1969).