UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SPENCER PIERCE, Plaintiff, vs. HOWARD SKOLNIK, et al., Defendants.	Case No. 3:10-cv-00239-ECR-VPC MINUTES OF THE COURT Date: November 7, 2011

PRESENT: EDWARD C. REED, JR. U. S. DISTRICT JUDGE

Deputy Clerk: COLLEEN LARSEN Reporter: NONE APPEARING

Counsel for Plaintiff(s) NONE APPEARING

Counsel for Defendant(s) NONE APPEARING

MINUTE ORDER IN CHAMBERS

On September 28, 2011, the Magistrate Judge filed a Report and Recommendation (#52) recommending that Plaintiff's motion for temporary restraining order and preliminary injunction (#22), filed on April 11, 2011, be denied and that Plaintiff's motion to present physical evidence (#23), filed on April 11, 2011, be denied as moot.

No objections were timely filed.

IT IS THEREFORE ORDERED that the Magistrate Judge's Report and Recommendation (#52) is well taken and is APPROVED and ADOPTED. Plaintiff has not proven to the Court that he is likely to succeed on the merits of his allegations of violation of his Eighth Amendment rights by the Defendants inasmuch as Plaintiff's motion for temporary restraining order does not include evidence of irreparable injury or other relevant evidence required for injunctive relief.

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THEREFORE, IT IS ORDERED that Plaintiff's motion for temporary restraining order and preliminary injunction (#22) is DENIED, and Plaintiff's motion to present physical evidence is DENIED as moot.

LANCE S. WILSON, CLERK

By /s/
Deputy Clerk