

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

|                              |   |                   |
|------------------------------|---|-------------------|
| CHARLES LEE MOORE II,        | ) |                   |
|                              | ) |                   |
| Plaintiff,                   | ) |                   |
| vs.                          | ) | NO. CIV-15-688-HE |
|                              | ) |                   |
| LT. PANTOJA, <i>et al.</i> , | ) |                   |
|                              | ) |                   |
| Defendants.                  | ) |                   |

**ORDER**

Plaintiff, Charles Moore, a state prisoner appearing *pro se*, filed this § 1983 action against defendants, correctional officers at the Oklahoma State Reformatory in Granite, Oklahoma, asserting excessive force and failure to protect claims. Consistent with 28 U.S.C. § 636(b), the matter was referred for initial proceedings to Magistrate Judge Charles B. Goodwin, who has recommended that a motion for temporary restraining order and/or request for preliminary injunction filed by plaintiff be denied. In his motion plaintiff asks the court to enjoin the Oklahoma Department of Corrections from transferring him from Joseph Harp Correctional Center, where he currently is incarcerated. The magistrate judge recommended that the motion be denied for several reasons, including the lack of relationship between the relief sought by the injunction and plaintiff's claims in his complaint.

Plaintiff did not object to the magistrate judge's Report and Recommendation. He thereby waived his right to appellate review of the factual and legal issues it addressed. Casanova v. Ulibarri, 595 F.3d 1120, 1123 (10th Cir. 2010); *see* 28 U.S.C. §636(b)(1)(C).

Accordingly, the court **ADOPTS** Magistrate Judge Goodwin's Report and Recommendation [Doc. #30] and **DENIES** plaintiff's motion for temporary restraining order and/or request for preliminary injunction [Doc. #22].

**IT IS SO ORDERED.**

Dated this 18th day of August, 2016.

  
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JOE HEATON  
CHIEF U.S. DISTRICT JUDGE