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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION

KELVIN A. CANADA,)	Civil Action No. 7:11cv00569
Plaintiff,)	
)	ORDER ADOPTING REPORT
v.)	AND RECOMMENDATION
)	
WALTER DAVIS et al.,)	By: Samuel G. Wilson
Defendants.)	United States District Judge

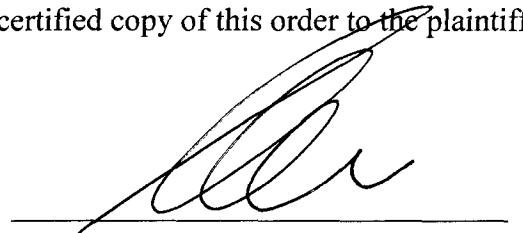
Kelvin Canada, a Virginia inmate proceeding *pro se*, brings this action pursuant to 42 U.S.C. § 1983 against a number of Red Onion State Prison (“ROSP”) employees, alleging variously that the defendants used excessive force against him, failed to protect him, and displayed deliberate indifference to his medical needs. Canada seeks injunctive relief ordering that he be transferred to Sussex I State Prison to continue physical therapy treatment, and after completion of physical therapy that he be transferred to Green Rock Prison. Canada also seeks injunctive relief ordering that no officers from ROSP, Keen Mountain State Prison, or Wallens Ridge State Prison transport him to court for his December 6, 2012, bench trial, and that he never be transferred to those prisons again.

The court referred the matter to United States Magistrate Judge Pamela M. Sargent for a Report and Recommendation pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge filed a report finding no basis for granting Canada’s request for injunctive relief and recommending that his motion be denied. (ECF No. 52.) Canada has objected to the Magistrate’s Report and Recommendation. (ECF No. 64.) Having reviewed the Report and Recommendation, Canada’s objections thereto, and pertinent portions of the record *de novo* in accordance with § 636(b)(1), the court agrees with the Magistrate Judge’s recommendation regarding Canada’s request for injunctive relief. Accordingly, it is hereby **ORDERED** and **ADJUDGED** that the Magistrate

Judge's Report and Recommendation is **ADOPTED** in its entirety, Canada's objections are **OVERRULED**, and Canada's motion for preliminary injunctive relief (ECF No. 51) is **DENIED**.

The Clerk of the Court is directed to send a certified copy of this order to the plaintiff.

ENTER: November 2, 2012.



UNITED STATES DISTRICT JUDGE