

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Calderon v. Covello

Calderon · No. 2:23-cv-2049 WBS CSK P · Decided August 12, 2025

SUMMARY

The document is findings and recommendations from the United States District Court for the Eastern District of California concerning a state prisoner’s request for transfer. The court construed the request as a motion for injunctive relief and recommended denial because the alleged conduct was not sufficiently related to the claims in the underlying § 1983 action.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Chi Soo Kim
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	August 12, 2025
DOCKET	2:23-cv-2049 WBS CSK P
DISPOSITION	other
PROCEDURAL POSTURE	A state prisoner proceeding pro se in a 42 U.S.C. § 1983 action requested transfer to protective housing, federal custody, or Mexico. The magistrate judge construed the request as a motion for injunctive relief and issued findings and recommendations that it be denied.
PRECEDENTIAL VALUE	Nonprecedential magistrate judge findings and recommendations; subject to review by the assigned district judge.
PARTIES	Juan Carlos Calderon v. P. Covello, et al.

TOPICS

- injunctions
- prisoners rights
- section 1983
- civil rights
- equitable relief

PRACTICE AREAS

- prisoner civil rights
- federal civil procedure
- injunctive relief

QUESTIONS PRESENTED

1. Whether plaintiff's request for transfer should be construed as a motion for injunctive relief.
2. Whether injunctive relief is available when the injuries and conduct alleged in the motion are unrelated to the claims asserted in the underlying complaint.

HOLDINGS

1. The request for transfer was properly construed as a motion for injunctive relief.
2. The motion for injunctive relief should be denied because plaintiff did not demonstrate a relationship between the injuries and conduct alleged in the motion and the claims on which the action proceeds.

KEY QUOTATIONS

“[T]here must be a relationship between the injury claimed in the motion for injunctive relief and the conduct asserted in the underlying complaint.” (at 2)

FACTUAL BACKGROUND

Plaintiff is a state prisoner proceeding without counsel under 42 U.S.C. § 1983. His operative claims concern an alleged June 7, 2023 incident in which Officer Campos purportedly threw a grenade or bomb under plaintiff's cell door and failed to provide medical care for resulting injuries. In a later request for transfer, plaintiff alleged that countries and prison personnel were involved in efforts to implant chips, experiment on humans, manipulate his conduct and judgment, oppress him, and interfere with his parole date. He sought transfer to a protective housing unit, federal custody, or Mexico.

PROCEDURAL HISTORY

The action proceeds on plaintiff's amended complaint against Mule Creek State Prison Correctional Officer Campos concerning an alleged Eighth Amendment violation involving exposure to a grenade or bomb and denial of medical care. Plaintiff later filed a request for transfer based on alleged conspiracies, manipulation, oppression, isolation, disparate treatment, and interference with parole. The magistrate judge recommended denial because the injuries and conduct described in the transfer request were not related to the claims in the operative complaint. The findings and recommendations were submitted to the assigned district judge under 28 U.S.C. § 636(b)(1), subject to objections.

DISPOSITION

other

CASES CITED

- Pac. Radiation Oncology, LLC v. Queen's Medical Center, 810 F.3d 631, 636 (9th Cir. 2015)
- Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991)