

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Bland v. Cox

Bland · No. 2:20-CV-0715-WBS-DMC-P · Decided July 7, 2025

SUMMARY

The document contains findings and recommendations addressing Joshua Bland’s motions for injunctive relief in a 42 U.S.C. § 1983 action. The court recommends denying the motions because Bland did not show irreparable harm or a likelihood of success, and the requested order would be directed to unnamed prison officials who were not parties to the action. The recommendations were issued after Bland’s transfer to another prison and concern access to legal property.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Dennis M. Cota
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 7, 2025
DOCKET	2:20-CV-0715-WBS-DMC-P
DISPOSITION	other
PROCEDURAL POSTURE	A prisoner proceeding pro se in a 42 U.S.C. § 1983 action moved for injunctive relief concerning access to legal papers, legal books, and a typewriter after being transferred to another prison. The magistrate judge issued findings and recommendations that the motions be denied.
STANDARD OF REVIEW	A party seeking a preliminary injunction must establish likelihood of success on the merits, likely irreparable harm absent relief, a favorable balance of hardships, and that an injunction is in the public interest. A mandatory injunction requires a heightened showing that the law and facts clearly support relief.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

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

PRACTICE AREAS

civil rights

prisoner litigation

injunctive relief

QUESTIONS PRESENTED

1. Whether plaintiff established the requirements for preliminary or other injunctive relief.
2. Whether the court could issue an injunction directed to unnamed prison officials who were not parties to the action.
3. Whether plaintiff showed a sufficient relationship between the requested relief and the claims in the underlying complaint.

HOLDINGS

1. Plaintiff was not entitled to injunctive relief because he failed to identify irreparable harm, failed to demonstrate a particular likelihood of success on the merits, and sought relief against unnamed nonparty prison officials.
2. The motions for injunctive relief should be denied because plaintiff's transfer and the absence of evidence that he would return, together with his failure to establish the other requirements for relief, did not warrant an injunction.

KEY QUOTATIONS

“Under Winter, the proper test requires a party to demonstrate: (1) he is likely to succeed on the merits; (2) he is likely to suffer irreparable harm in the absence of an injunction; (3) the balance of hardships tips in his favor; and (4) an injunction is in the public interest.” (at 1)

“Finally, the Court cannot issue an order directed at unnamed prison officials at Kern Valley State Prison who are not parties to the action.” (at 2)

FACTUAL BACKGROUND

Plaintiff, a prisoner, alleged that after his transfer to a different prison in April 2025, officials denied him access to legal papers, legal books, and a typewriter. He sought an order directing officials at Kern Valley State Prison to provide his property. The requested order would have been directed to unnamed prison officials who were not parties to the action.

PROCEDURAL HISTORY

Plaintiff filed a civil rights action under 42 U.S.C. § 1983 and later moved for injunctive relief. After plaintiff was transferred to a different prison, he sought an order directing officials at Kern Valley State Prison to provide his property. The magistrate judge recommended denial of both motions and advised the parties of the procedure for filing objections under 28 U.S.C. § 636(b)(1).

DISPOSITION

other

CASES CITED

- Stormans, Inc. v. Selecky, 586 F.3d 1109, 1127 (9th Cir. 2009)
- Winter v. Natural Resources Defense Council, Inc., 129 S. Ct. 365, 374 (2008)
- Garcia v. Google, Inc., 786 F.3d 733, 740 (9th Cir. 2015) (en banc)
- American Trucking Ass'ns, Inc. v. City of Los Angeles, 559 F.3d 1046, 1052 (9th Cir. 2009)
- Shell Offshore, Inc. v. Greenpeace, Inc., 709 F.3d 1281, 1291 (9th Cir. 2013)
- Alliance for the Wild Rockies v. Cottress, 632 F.3d 1127, 1135 (9th Cir. 2011)
- Pacific Radiation Oncology, LLC v. Queen's Medical Center, 810 F.3d 631, 636 (9th Cir. 2015)
- De Beers Consolidated Mines, 325 U.S. 212, 220 (1945)
- Zenith Radio Corp. v. Hazeltine Research, Inc., 395 U.S. 100, 112 (1969)
- Preiser v. Newkirk, 422 U.S. 395, 402-03 (1975)
- Johnson v. Moore, 948 F.3d 517, 519 (9th Cir. 1991) (per curiam)
- Wonnacott v. Heehn, 2021 WL 970453 (D. Oregon 2021)
- Martinez v. Yist, 951 F.2d 1153 (9th Cir. 1991)