

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Kendall v. Brazil

No. 2:24-cv-03801-DAD-CSK (PC) (E.D. Cal. June 18, 2025) · No. 2:24-cv-03801-DAD-CSK (PC) · Decided
June 20, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted the magistrate judge’s findings and recommendations and denied Adam Kendall’s motion for a temporary restraining order and preliminary injunction. The court concluded that the requested relief concerning his custody level and transfer to particular prison facilities was not sought in the complaint and could not be ordered against facilities or officials not properly before the court.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Dale A. Drozd
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	June 20, 2025
DOCKET	2:24-cv-03801-DAD-CSK (PC)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought a temporary restraining order and preliminary injunction in a 42 U.S.C. § 1983 prisoner civil-rights action. The district court reviewed and adopted a magistrate judge's findings and recommendations recommending denial of the requested injunctive relief.
STANDARD OF REVIEW	De novo review of the magistrate judge's findings and recommendations under 28 U.S.C. § 636(b)(1)(C).
PRECEDENTIAL VALUE	unpublished, nonprecedential district court order
PARTIES	Adam Kendall v. Brazil, et al.

TOPICS

- injunctions
- prisoners rights
- section 1983
- civil rights
- civil procedure

PRACTICE AREAS

civil procedure

civil rights

prisoner litigation

injunctive relief

QUESTIONS PRESENTED

1. Whether the requested temporary restraining order and preliminary injunction were sufficiently related to the injuries and conduct alleged in the complaint.
2. Whether the court could order prison officials to restore plaintiff's custody-level status or transfer him to a particular prison facility.
3. Whether the magistrate judge's findings and recommendations should be adopted after de novo review.

HOLDINGS

1. A motion for injunctive relief must seek relief related to the injury and conduct asserted in the underlying complaint; the court may not grant relief based on materially different claims not pleaded in the complaint.
2. A federal court may not order a prisoner's transfer to a particular facility when the relevant facility or its administrators are not parties before the court, and a prisoner has no legal right to placement in a particular prison facility or custody level.

KEY QUOTATIONS

“We hold that there must be a relationship between the injury claimed in the motion for injunctive relief and the conduct asserted in the underlying complaint.” (at 1)

“However, the court observes that even if plaintiff were to succeed on the merits of his claims as asserted in his complaint, he has no legal right to be transferred to CMF, CMC, or any other prison facility.” (at 2)

FACTUAL BACKGROUND

Kendall, a state prisoner, filed a § 1983 action concerning alleged misconduct and retaliation at Mule Creek State Prison. His complaint sought injunctive relief concerning prison practices, including body cameras, recording disciplinary hearings, and addressing alleged systemic retaliation, but did not request restoration of his level-3 override or transfer to specified facilities. His motion for injunctive relief instead sought restoration of that custody status and placement at the California Medical Facility or California Men's Colony; he was later transferred to another prison.

PROCEDURAL HISTORY

Kendall filed his complaint and motion for a temporary restraining order and preliminary injunction on December 30, 2024. After receiving an opposition and reply, the magistrate judge issued findings and recommendations recommending denial because the requested relief was unrelated to the claims pleaded and because a prisoner has no right to placement in a particular facility or custody level. The district court conducted de novo review, overruled the objections, adopted the findings and recommendations, denied the motion, and referred the matter back to the magistrate judge for further proceedings.

DISPOSITION

other

REMAND INSTRUCTIONS

The matter was referred back to the assigned magistrate judge for further proceedings after the motion for a temporary restraining order and preliminary injunction was denied.

CASES CITED

- Pac. Radiation Oncology, LLC v. Queen's Med. Ctr., 810 F.3d 631, 636 (9th Cir. 2015)
- Zepeda v. United States Immigration & Naturalization Serv., 753 F.2d 719, 727 (9th Cir. 1985)
- Thompson v. Mike, No. 17-cv-00319-DKW-RLP, 2018 WL 2144145, at *2 (D. Haw. May 9, 2018)