

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Dauwalder v. Atherton

Dauwalder · No. 1:24-cv-0523 JLT SKO · Decided August 4, 2025

OPINION

(PC) Dauwalder v. Atherton

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 DANIEL DAUWALDER, Case No.: 1:24-cv-0523 JLT SKO 12 Plaintiff, ORDER
ADOPTING FINDINGS AND

RECOMMENDATIONS AND DENYING

13 v. PLAINTIFF’S REQUEST FOR INJUNCTIVE

RELIEF

14 J. ATHERTON, et al., (Docs. 20, 27) 15 Defendants. 16 17 Daniel Dauwalder seeks to hold the
defendants liable for civil rights violations while 18 housed at the Substance Abuse Treatment
Facility of Corcoran State Prison. (See generally Doc. 19 1; see also Doc. 11.) Plaintiff filed a
motion for a preliminary injunction, asserting that the prison 20 officials are tampering with his
mail at the California Correctional Institute in Tehachapi. (Doc. 21 20.) The magistrate judge
found Plaintiff cannot obtain the relief requested, because the action 22 proceeds on his claims
under the Eight Amendment related to violations at SATF- Corcoran and 23 does not involve
claims related to mail tampering or any prison officials at CCI-Tehachapi. (Doc. 24 27 at 3-4.)
Therefore, the magistrate judge recommended the Court deny the motion for 25 injunctive relief.
(Id. at 4.) 26 The Court served the Findings and Recommendations on Plaintiff and notified him
that 27 any objections were due within 14 days. (Doc. 27 at 4.) The Court advised him that the
“failure to file any objections within the specified time may result in the waiver of certain rights
on 1 | appeal.” (Ud., citing Wilkerson v. Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff
did 2 | not file objections, and the time to do so has passed. 3 According to 28 U.S.C. § 636(b)(1),
this Court performed a de novo review of this case. 4 | Having carefully reviewed the matter, the
Court concludes the Findings and Recommendations to 5 | be supported by the record and proper
analysis. Thus, the Court ORDERS: 6 1. The Findings and Recommendations issued July 9, 2025
(Doc. 27) are 7 ADOPTED in full. 8 2. Plaintiff’s motion for injunctive relief (Doc. 20) is
DENIED. 9 10 IT IS SO ORDERED. Dated: _ August 3, 2025 Cerin | Tower

TED STATES DISTRICT JUDGE

12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

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