

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Michael Alan Dean Hill v. Eslick, et al.

Hill v. Eslick · No. 2:25-cv-0748-DAD-JDP (P) · Decided December 10, 2025

SUMMARY

The United States District Court for the Eastern District of California addresses a detainee's motions for a temporary restraining order, discovery, and appointment of a private investigator in a 42 U.S.C. § 1983 excessive-force action. The court denies the discovery and investigator motions and recommends denying the temporary restraining order because the requested relief is not specific and the plaintiff has not shown satisfaction of the Winter factors. The document also sets a fourteen-day period for objections to the findings and recommendations.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Jeremy D. Peterson
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 10, 2025
DOCKET	2:25-cv-0748-DAD-JDP (P)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, a detainee proceeding under 42 U.S.C. § 1983, moved for a temporary restraining order, discovery, and appointment of a private investigator. The magistrate judge denied the discovery and investigator motions and recommended denial of the temporary restraining order.
STANDARD OF REVIEW	A party seeking preliminary injunctive relief must satisfy the four-factor test stated in Winter v. Natural Resources Defense Council, Inc. The court also required specific, narrowly tailored relief and found that public funds may be expended for a pro se litigant only when authorized by Congress.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Michael Alan Dean Hill v. Eslick, et al.

TOPICS

injunctions

discovery dispute

section 1983

prisoners rights

civil procedure

PRACTICE AREAS

civil rights litigation

prisoner and detainee litigation

federal civil procedure

QUESTIONS PRESENTED

1. Whether Hill's motion for a temporary restraining order stated specific, narrowly tailored relief.
2. Whether Hill demonstrated entitlement to preliminary injunctive relief under the four-factor test in *Winter v. Natural Resources Defense Council, Inc.*
3. Whether Hill's motion for additional discovery should be granted when a scheduling order already governed discovery and he offered no evidence of threatened destruction or tampering with evidence.
4. Whether the court could appoint and publicly fund a private investigator for a pro se litigant absent congressional authorization.

HOLDINGS

1. A request for a temporary restraining order must identify specific, narrowly tailored relief that the court can direct and enforce; a generalized request that defendants cease any conduct interfering with litigation is overbroad and inadequate.
2. A party seeking preliminary injunctive relief must show a likelihood of success on the merits, a likelihood of irreparable harm absent relief, that the balance of equities favors relief, and that an injunction is in the public interest.
3. A motion seeking additional discovery may be denied when the movant provides no evidence that relevant evidence will be destroyed or tampered with and an existing scheduling order already establishes the discovery schedule.
4. Public funds may be expended on behalf of a pro se litigant only when authorized by Congress; absent a showing of congressional authorization, the court may not appoint a publicly funded private investigator.

KEY QUOTATIONS

“A carte blanche order that defendants cannot take any action that interferes with plaintiff’s litigation would be overbroad and inappropriate.” (at 1)

“To obtain preliminary injunctive relief, plaintiff must show (1) that he is likely to succeed on the merits, (2) that he is likely to suffer irreparable harm in the absence of preliminary relief, (3) that the balance of equities tips in his favor, and (4) that an injunction is in the public interest.” (at 1)

FACTUAL BACKGROUND

Hill was a detainee in the El Dorado County Jail pursuing a § 1983 excessive-force action against the defendants. He alleged that jail personnel interfered with communications from his brother, restricted access to legal mail, and denied him unspecified documents needed to litigate the case. He offered no evidence that

defendants would destroy or tamper with evidence and sought public funding for a private investigator to locate witnesses and gather evidence.

PROCEDURAL HISTORY

Hill filed a § 1983 action alleging that defendants subjected him to excessive force in violation of the Fourteenth Amendment. While the action was pending, he filed motions concerning preliminary injunctive relief, discovery, and appointment of an investigator. The magistrate judge denied two motions and issued findings and recommendations that the district judge deny the motion for a temporary restraining order.

DISPOSITION

other

CASES CITED

- Maramag v. Wash. Mut. Bank, F.A., No. C 12-2156 PJH, 2012 U.S. Dist. LEXIS 131073, at *4 (N.D. Cal. Sept. 13, 2012)
- Winter v. Nat. Res. Def. Council, Inc., 555 U.S. 7, 20 (2008)
- United States v. MacCollom, 426 U.S. 317, 321 (1976)
- Tedder v. Odel, 890 F.2d 210, 211 (9th Cir. 1989)
- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)
- Martinez v. Yist, 951 F.2d 1153 (9th Cir. 1991)

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