

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

Etuate Sekona v. R. Perez

Sekona v. Perez · No. 1:19-cv-0400 · Decided August 25, 2025

OPINION

(PC) Sekona v. Perez

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 ETUATE SEKONA,) Case No.: 1:19-cv-0400 JLT HBK) 12 Plaintiff,) ORDER
ADOPTING IN FULL THE FINDINGS

) AND RECOMMENDATIONS, DENYING

13 v.) PLAINTIFF’S CONSTRUED MOTION FOR A

) TEMPORARY RESTRAINING ORDER

14 R. PEREZ, et al.,)) (Docs. 100, 108) 15 Defendants.)) 16 17 Etuate Sekona asserts the
defendants violated his civil rights while he was incarcerated at Kern 18 Valley State Prison. (See
generally Doc. 39.) Plaintiff requested “an emergency TRO” to protect his 19 right to due process.
(Doc. 100 at 1-2.) The magistrate judge found Plaintiff’s request for injunctive 20 relief was
“procedurally deficient” and failed to comply with Rule 65 of the Federal Rules of Civil 21
Procedure. (Doc. 108 at 4.) In addition, the magistrate judge determined that the motion was
“without 22 merit,” and the alleged wrongful conduct identified by Defendants was in the past.
(Id. at 4-5.) The 23 magistrate judge found any “[s]peculative fears” about future events did not
establish an irreparable 24 injury.” (Id. at 5.) Consequently, the magistrate judge found the action
did “not involve extraordinary 25 circumstances warranting the issuance of a TRO” and
recommended the Court deny the motion. (Id.) 26 The Court served the Findings and
Recommendations on Plaintiff and notified him that any 27 objections were due within 14 days.
(Doc. 108 at 5.) The Court advised Plaintiff that the “failure to 28 file objections within the
specified time may result in the waiver of rights on appeal.” (Id. at 6, citing 1 || Wilkerson v.
Wheeler, 772 F.3d 834, 838-39 (9th Cir. 2014).) Plaintiff did not file objections, and the 2 || 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 are 5 || supported by the record and proper analysis. Thus, the Court ORDERS:
6 1. The Findings and Recommendations dated July 29, 2025 (Doc. 108) are ADOPTED i 7 full. 8
2. Plaintiff’s motion for a temporary restraining order (Doc. 100) is DENIED. 9 10 IT IS SO

ORDERED. 11 |! Dated: _ August 25, 2025 (LAW ph L. wan
12 TED STATES DISTRICT JUDGE
13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

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