

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

Marlin Wells v. Wallace

Wells v. Wallace · No. 1:25-cv-01679-BAM (PC) · Decided December 19, 2025

OPINION

Wallace

PER CURIAM.

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6 UNITED STATES DISTRICT COURT

7 EASTERN DISTRICT OF CALIFORNIA

8 9 MARLIN WELLS, Case No. 1:25-cv-01679-BAM (PC) 10 Plaintiff, ORDER DIRECTING
CLERK OF COURT TO

RANDOMLY ASSIGN DISTRICT JUDGE TO

11 v. ACTION

12 WALLACE, FINDINGS AND RECOMMENDATIONS

REGARDING PLAINTIFF’S MOTION FOR

13 Defendant. SUPPLIES AND ACCESS TO THE MAIL

DELIVERY SYSTEM

14 (ECF No. 2) 15

FOURTEEN (14) DAY DEADLINE

16 17 Plaintiff Marlin Wells (“Plaintiff”) is a civil detainee proceeding pro se and in forma 18
pauperis in this civil rights action pursuant to 42 U.S.C. § 1983. Individuals detained pursuant to
19 California Welfare and Institutions Code § 6600 et seq. are civil detainees and are not prisoners
20 within the meaning of the Prison Litigation Reform Act. Page v. Torrey, 201 F.3d 1136, 1140
21 (9th Cir. 2000). The complaint has not yet been screened. 22 Currently before the Court is
Plaintiff’s motion for supplies and access to the mail 23 delivery system, filed November 28,
2025. (ECF No. 2.) Plaintiff moves for a Court order 24 requiring the Department of State
Hospitals – Coalinga (“DSH-C”) “to provide all supplies 25 reasonably necessary to the conduct
of litigation in regards to his conditions of confinement 26 claims, to include but not be limited to
reasonable costs for copying documents and mailing them 27 as necessary during the duration of
this litigation.” (Id. at 1.) 28 The Court construes the request as a motion for preliminary
injunction. 1 I. Motion for Preliminary Injunction 2 “A preliminary injunction is an extraordinary
remedy never awarded as of right.” Winter 3 v. Nat. Res. Def. Council, Inc., 555 U.S. 7, 24 (2008)
(citation omitted). “A plaintiff seeking a 4 preliminary injunction must establish that he is likely to
succeed on the merits, that he is likely to 5 suffer irreparable harm in the absence of preliminary

relief, that the balance of equities tips in his 6 favor, and that an injunction is in the public interest.” Id. at 20 (citations omitted). An injunction 7 may only be awarded upon a clear showing that the plaintiff is entitled to relief. Id. at 22 (citation 8 omitted). 9 Federal courts are courts of limited jurisdiction and in considering a request for 10 preliminary injunctive relief, the Court is bound by the requirement that as a preliminary matter, it 11 have before it an actual case or controversy. *City of L.A. v. Lyons*, 461 U.S. 95, 102 (1983); 12 *Valley Forge Christian Coll. v. Ams. United for Separation of Church & State, Inc.*, 454 U.S. 13 464, 471 (1982). If the Court does not have an actual case or controversy before it, it has no 14 power to hear the matter in question. Id. Requests for prospective relief are further limited by 18 15 U.S.C. § 3626(a)(1)(A) of the Prison Litigation Reform Act, which requires that the Court find 16 the “relief [sought] is narrowly drawn, extends no further than necessary to correct the violation 17 of the Federal right, and is the least intrusive means necessary to correct the violation of the 18 Federal right.” 19 Furthermore, the pendency of this action does not give the Court jurisdiction over prison 20 officials in general. *Summers v. Earth Island Inst.*, 555 U.S. 488, 491–93 (2009); *Mayfield v. 21 United States*, 599 F.3d 964, 969 (9th Cir. 2010). The Court’s jurisdiction is limited to the parties 22 in this action and to the viable legal claims upon which this action is proceeding. *Summers*, 555 23 U.S. at 491–93; *Mayfield*, 599 F.3d at 969. 24 Plaintiff has not met the requirements for the injunctive relief he seeks in this motion. The 25 Court is required to screen complaints brought by prisoners seeking relief against a governmental 26 entity or officer or employee of a governmental entity. 28 U.S.C. § 1915A(a). Plaintiff’s 27 complaint, or any portion thereof, is subject to dismissal if it is frivolous or malicious, if it fails to 28 state a claim upon which relief may be granted, or if it seeks monetary relief from a defendant 1 who is immune from such relief. 28 U.S.C. § 1915A(b)(1), (2); 28 U.S.C. § 1915(e)(2)(B)(ii). 2 As noted above, the complaint has not yet been screened. As such, this action does not 3 yet proceed on any cognizable claims, no defendant has been ordered served, and no defendant 4 has yet made an appearance. Thus, the Court at this time lacks personal jurisdiction over 5 Defendant Janine Wallace (Executive Director of DSH-C), any other staff at DSH-C, or DSH-C 6 generally. 7 II. Order and Recommendation 8 Accordingly, the Clerk of the Court is HEREBY DIRECTED to randomly assign a 9 District Judge to this action. 10 Furthermore, it is HEREBY RECOMMENDED that Plaintiff’s motion for supplies and 11 access to the mail delivery system, (ECF No. 2), be DENIED. 12 These Findings and Recommendations will be submitted to the United States District 13 Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within 14 fourteen (14) days after being served with these Findings and Recommendations, the parties may 15 file written objections with the court. The document should be captioned “Objections to 16 Magistrate Judge’s Findings and Recommendations.” Objections, if any, shall not exceed 17 fifteen (15) pages or include exhibits. Exhibits may be referenced by document and page 18 number if already in the record before the Court. Any pages filed in excess of the 15-page 19 limit may not be considered. The parties are advised that failure to file objections within the 20 specified time may result in the

waiver of the “right to challenge the magistrate’s factual 21 findings” on appeal. *Wilkerson v. Wheeler*, 772 F.3d 834, 838–39 (9th Cir. 2014) (citing *Baxter 22 v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991)). 23 IT IS SO ORDERED. 24 25 Dated: December 19, 2025 /s/ Barbara A. McAuliffe _

UNITED STATES MAGISTRATE JUDGE

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