

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Juan Carlos Calderon v. P. Covello, et al.

Calderon v. Covello · No. 2:23-cv-2049 WBS CSK P · Decided September 16, 2025

SUMMARY

The United States District Court for the Eastern District of California adopted in full the magistrate judge’s findings and recommendations in a prisoner civil rights action under 42 U.S.C. § 1983. The court denied the plaintiff’s request for transfer, construed as a motion for injunctive relief, because no objections were filed and the findings and recommendations were supported by the record.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	September 16, 2025
DOCKET	2:23-cv-2049 WBS CSK P
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, a state prisoner proceeding pro se under 42 U.S.C. § 1983, requested a transfer. The request was construed as a motion for injunctive relief and was considered after a magistrate judge issued findings and recommendations. Neither party filed objections.
STANDARD OF REVIEW	Findings of fact are presumed correct; conclusions of law are reviewed de novo.
PRECEDENTIAL VALUE	Unknown
PARTIES	Juan Carlos Calderon v. P. Covello, et al.

TOPICS

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

PRACTICE AREAS

- civil rights
- prisoner litigation
- injunctive relief

QUESTIONS PRESENTED

1. Whether the magistrate judge's findings and recommendations should be adopted where neither party filed objections.
2. Whether Plaintiff's request for transfer, construed as a motion for injunctive relief, should be granted.

HOLDINGS

1. The court adopted the magistrate judge's findings and recommendations in full after reviewing the record and finding them supported by the record and the magistrate judge's analysis.
2. Plaintiff's request for transfer, construed as a motion for injunctive relief, was denied.

FACTUAL BACKGROUND

Juan Carlos Calderon is a state prisoner proceeding pro se. He filed a civil-rights action under 42 U.S.C. § 1983 and requested a transfer. The district court construed the transfer request as a motion for injunctive relief.

PROCEDURAL HISTORY

The matter was referred to a magistrate judge under 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On August 12, 2025, the magistrate judge issued findings and recommendations. After no objections were filed, the district court adopted the findings and recommendations in full and denied Plaintiff's request for transfer, construed as a motion for injunctive relief.

DISPOSITION

other

CASES CITED

- Orand v. United States, 602 F.2d 207, 208 (9th Cir. 1979)
- Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983)

OPINION

Covello

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 JUAN CARLOS CALDERON, No. 2:23-cv-2049 WBS CSK P

12 Plaintiff, 13 v. ORDER 14 P. COVELLO, et al., 15 Defendants. 16 17 Plaintiff, a state prisoner
proceeding pro se, filed this civil rights action seeking relief 18 under 42 U.S.C. § 1983. The
matter was referred to a United States Magistrate Judge pursuant to 19 28 U.S.C. § 636(b)(1)(B)
and Local Rule 302. 20 On August 12, 2025, the magistrate judge filed findings and

recommendations herein 21 which were served on all parties and which contained notice to all parties that any objections to 22 the findings and recommendations were to be filed within fourteen days. Neither party filed 23 objections to the findings and recommendations. 24 The court presumes that any findings of fact are correct. See *Orand v. United States*, 602 25 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed de novo. 26 See *Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having 27 reviewed the file, the court finds the findings and recommendations to be supported by the record 28 and by the magistrate judge’s analysis. 1 Accordingly, IT IS HEREBY ORDERED that: 2 1. The findings and recommendations (ECF No. 82) are adopted in full; 3 2. Plaintiffs request for transfer (ECF No. 80), construed as a motion for injunctive 4 | relief, is DENIED. . - 5 | Dated: September 15, 2025
abba AS, fh

6 UNITED STATES DISTRICT JUDGE

4 8 |} /cald23cv2049.801.3 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28