

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Michael Alan Dean Hill v. Jonathan Eslick, et al.

Hill v. Eslick · No. 2:25-cv-0748-JDP (P) · Decided September 16, 2025

SUMMARY

The document contains findings and recommendations concerning plaintiff Michael Alan Dean Hill’s motion for preliminary injunctive relief seeking a change in his prison classification from high risk to regular. The magistrate judge recommends denial because plaintiff did not address the Winter factors, the requested relief would improperly interfere with prison administration, and the relief was unrelated to the excessive-force claims in the complaint.

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	September 16, 2025
DOCKET	2:25-cv-0748-JDP (P)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, a county inmate proceeding pro se, moved for preliminary injunctive relief seeking an order changing his prison classification from high risk to regular. The magistrate judge recommended denial of the motion and directed assignment of a district judge.
STANDARD OF REVIEW	A preliminary injunction requires a showing of likelihood of success on the merits, likely irreparable harm absent relief, a favorable balance of equities, and consistency with the public interest. A mandatory injunction is subject to a heightened standard requiring extreme or very serious noncompensable harm and non-doubtful merits. Under the Prison Litigation Reform Act, prospective relief must be narrowly drawn and the least intrusive means necessary to correct the harm.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Michael Alan Dean Hill v. Jonathan Eslick, et al.

TOPICS

injunctions

prisoners rights

civil rights

fourteenth amendment

civil procedure

PRACTICE AREAS

prisoner civil rights

constitutional law

civil procedure

QUESTIONS PRESENTED

1. Whether plaintiff established the requirements for a preliminary injunction under Winter.
2. Whether plaintiff was entitled to a mandatory injunction changing his prison classification status.
3. Whether the court had authority to issue injunctive relief based on a matter not connected to the claims pleaded in the complaint.
4. Whether plaintiff satisfied the heightened standard for an ex parte temporary restraining order.

HOLDINGS

1. Plaintiff was not entitled to preliminary injunctive relief because he failed to address or establish the Winter factors.
2. Plaintiff was not entitled to a mandatory injunction because he failed to satisfy the heightened standard applicable to mandatory injunctive relief.
3. The court lacked authority to issue injunctive relief based on claims or subject matter not pleaded in the complaint.
4. Plaintiff failed to meet the heightened requirements for an ex parte temporary restraining order because he did not establish that immediate and irreparable harm would occur absent relief.

KEY QUOTATIONS

“A preliminary injunction is ‘an extraordinary and drastic remedy, one that should not be granted unless the movant, by a clear showing, carries the burden of persuasion.’” (at 1)

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

“When a plaintiff seeks injunctive relief based on claims not pled in the complaint, the court does not have the authority to issue an injunction.” (at 2)

FACTUAL BACKGROUND

Hill is a county inmate proceeding pro se in a civil-rights action alleging excessive force in violation of the Fourteenth Amendment. He sought an injunction ordering prison officials to change his classification status from high risk to regular. The requested classification change was not connected to the excessive-force allegations in his complaint, and Hill did not address the required preliminary-injunction factors.

PROCEDURAL HISTORY

Hill brought a 42 U.S.C. § 1983 action alleging that defendants violated his Fourteenth Amendment rights by using excessive force against him. During the action, he moved for preliminary injunctive relief concerning his prison classification, an issue the court found unrelated to the claims pleaded in the complaint. The magistrate judge issued findings and recommendations recommending denial; the parties were given fourteen days to object under 28 U.S.C. § 636(b)(1).

DISPOSITION

other

REMAND INSTRUCTIONS

No remand was ordered. The Clerk was directed to assign a district judge, and the magistrate judge recommended that the motion for preliminary injunctive relief be denied. Parties were permitted fourteen days to file objections.

CASES CITED

- Lopez v. Brewer, 680 F.3d 1068, 1072 (9th Cir. 2012)
- Mazurek v. Armstrong, 520 U.S. 968, 972 (1997) (per curiam)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20, 24 (2008)
- Porretti v. Dzurenda, 11 F.4th 1037, 1047 (9th Cir. 2021)
- Hernandez v. Sessions, 872 F.3d 976, 999 (9th Cir. 2017)
- Marlyn Nutraceuticals, Inc. v. Mucos Pharma GmbH & Co., 571 F.3d 873, 879 (9th Cir. 2009)
- Gilmore v. People of the State of California, 220 F.3d 987, 999 (9th Cir. 2000)
- Turner v. Safley, 482 U.S. 78, 884-85 (1987)
- Bell v. Wolfish, 441 U.S. 520, 562 (1979)
- Wylie v. Montana Women's Prison, 2014 WL 6685983, at *3 (D. Mont. Nov. 25, 2014)
- Pacific Radiation Oncology, LLC v. Queen's Medical Center, 810 F.3d 631, 633 (9th Cir. 2015)
- Reno Air Racing Association, Inc. v. McCord, 452 F.3d 1126, 1131 (9th Cir. 2006)
- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)
- Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991)

OPINION

Eslick

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

10 11 MICHAEL ALAN DEAN HILL, Case No. 2:25-cv-0748-JDP (P) 12 Plaintiff,

13 v. ORDER; FINDINGS AND

RECOMMENDATIONS

14 JONATHAN ESLICK, et al., 15 Defendants. 16 17 18 Plaintiff, a county inmate proceeding
pro se, has filed a motion seeking injunctive relief in 19 the form of a court order changing his
prison classification status from high risk to regular. ECF

20 No. 17. For the reasons described below, I recommend that the motion be denied.

21 “A preliminary injunction is ‘an extraordinary and drastic remedy, one that should not be 22
granted unless the movant, by a clear showing, carries the burden of persuasion.’” *Lopez v. 23*
Brewer, 680 F.3d 1068, 1072 (9th Cir. 2012) (quoting *Mazurek v. Armstrong*, 520 U.S. 968, 972
24 (1997) (per curiam)); see also *Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 24 (2008)
25 (citation omitted) (“[a] preliminary injunction is an extraordinary remedy never awarded as of
26 right”). Nonetheless, “federal courts must not shrink from their obligation to enforce the 27
constitutional rights of all persons, including prisoners,” and must not “allow constitutional 28 1
violations to continue simply because a remedy would involve intrusion into the realm of prison 2
administration.” *Porretti v. Dzurenda*, 11 F.4th 1037, 1047 (9th Cir. 2021) (citation omitted). 3 A
plaintiff seeking a preliminary injunction must show: (1) he is likely to succeed on the 4 merits;
(2) he is likely to suffer irreparable harm in the absence of injunctive relief; (3) the 5 balance of
equities tips in his favor; and (4) an injunction is in the public interest. *Winter*, 555 6 U.S. at 20.
The “balance of equities” concerns the burdens or hardships to a prisoner complainant 7 compared
with the burden on the government defendants if an injunction is ordered. *Id.* The 8 public interest
mostly concerns the injunction’s impact on nonparties. *Id.* (citation omitted). 9 Regardless, “[i]t is
always in the public interest to prevent the violation of a party’s constitutional 10 rights.” *Id.*
(citation omitted). 11 Where a plaintiff seeks a mandatory injunction, rather than a prohibitory
injunction, 12 injunctive relief is “subject to a higher standard” and is “permissible when ‘extreme
or very 13 serious damage will result’ that is not ‘capable of compensation in damages,’ and the
merits of 14 the case are not ‘doubtful.’” *Hernandez v. Sessions*, 872 F.3d 976, 999 (9th Cir. 2017)
(quoting 15 *Marlyn Nutraceuticals, Inc. v. Mucos Pharma GmbH & Co.*, 571 F.3d 873, 879 (9th
Cir. 2009)). 16 Further, under the Prison Litigation Reform Act, which applies here, injunctive
relief must be 17 narrowly drawn and must be the least intrusive means necessary to correct the
harm. 18 U.S.C. 18 § 3626(a)(2); see *Gilmore v. People of the State of Cal.*, 220 F.3d 987, 999
(9th Cir. 2000). 19 Plaintiff’s motion should be denied because he has failed to address the *Winter*
factors. 20 See *Winter*, 555 U.S. at 20. (“A plaintiff seeking a preliminary injunction must
establish that he 21 is likely to succeed on the merits, that he is likely to suffer irreparable harm in
the absence of 22 preliminary relief, that the balance of equities tips in his favor, and that an
injunction is in the 23 public interest.”). 24 Denial would be appropriate anyway, however, since
plaintiff asks this court to change his 25 classification status. Courts will not unreasonably
interfere with prison operations. See *Turner v. 26 Safley*, 482 U.S. 78, 884-85 (1987); *Bell v.*
Wolfish, 441 U.S. 520, 562 (1979) (admonishing 27 federal courts to avoid “becom[ing]
increasingly enmeshed in the minutiae of prison operations”); 28 *Wylie v. Montana Women’s*

Prison, 2014 WL 6685983, at *3 (D. Mont. Nov. 25, 2014) (denying 1 preliminary injunction and declining to “interfere with day-to-day prison administrative 2 decisions”). Further, plaintiff asks for relief that is divorced from the claims in the complaint. 3 See *Pac. Radiation Oncology, LLC v. Queen’s Med. Ctr.*, 810 F.3d 631, 633 (9th Cir. 2015) 4 (“When a plaintiff seeks injunctive relief based on claims not pled in the complaint, the court 5 does not have the authority to issue an injunction.”). Plaintiff brings this action for violation of 6 his Fourteenth Amendment rights when defendants used excessive force against him. There is no 7 obvious connection between the use of excessive force and plaintiff’s classification status. 8 Plaintiff has failed to meet the especially high burden necessary for an ex parte temporary 9 restraining order. See *Reno Air Racing Ass’n, Inc. v. McCord*, 452 F.3d 1126, 1131 (9th Cir. 10 2006) (noting that a temporary restraining order may issue ex parte only if it clearly appears that 11 immediate and irreparable harm will occur in its absence and emphasizing that “our entire 12 jurisprudence runs counter to the notion of court action taken before reasonable notice and an 13 opportunity to be heard has been granted to both sides of a dispute”). Accordingly, I recommend 14 that the motion be denied. 15 Accordingly, it is hereby ORDERED that the Clerk of Court assign a district judge to this 16 action. 17 Further, it is RECOMMENDED that plaintiff’s motion for preliminary injunctive relief, 18 ECF No. 17, be DENIED. 19 These findings and recommendations are submitted to the United States District Judge 20 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days of 21 service of these findings and recommendations, any party may file written objections with the 22 court and serve a copy on all parties. Any such document should be captioned “Objections to 23 Magistrate Judge’s Findings and Recommendations,” and any response shall be served and filed 24 within fourteen days of service of the objections. The parties are advised that failure to file 25 objections within the specified time may waive the right to appeal the District Court’s order. See 26 *Turner v. Duncan*, 158 F.3d 449, 455 (9th Cir. 1998); *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 27 1991). 28 1 2 3 IT IS SO ORDERED. 4 (| { Dated: _ September 16, 2025 Q_—_—.

5 JEREMY D. PETERSON

6 UNITED STATES MAGISTRATE JUDGE

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