

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

Nieto v. Allison

Nieto · No. 24-cv-02628-JST · Decided August 29, 2025

OPINION

(PC) Nieto v. Allison

PER CURIAM.

1 2 3

4 UNITED STATES DISTRICT COURT

5 NORTHERN DISTRICT OF CALIFORNIA

6 7 MICHAEL NIETO, Case No. 24-cv-02628-JST 8 Plaintiff,

ORDER DENYING REQUEST FOR

9 v. INJUNCTIVE RELIEF

10 KATHLEEN ALLISON, et al., Re: ECF No. 21 Defendants. 11 12 13 Plaintiff, an inmate
currently housed at Valley State Prison (“VSP”), has filed a pro se 14 action pursuant to 42 U.S.C.
§ 1983 against certain Correctional Training Facility (“CTF”) 15 correctional officials, alleging
that they used excessive force on him and refused to decontaminate 16 him after pepper spray was
used on him, in violation of the Eighth Amendment. See generally 17 ECF Nos. 1, 6. This order
addresses Plaintiff’s request for a court order enjoining Valley State 18 Prison officials from
blocking his access to the court by interfering with or reading his legal mail 19 and from requiring
him to submit to strip searches in front of surveillance cameras every time he 20 crosses work
change for college, mental health treatment, R&R and education. ECF No. 21. The 21 Court
DENIES the request for injunctive relief for the following reasons. 22 First, the injunctive relief
request does not relate to the dispute being litigated. “[T]here 23 must be a relationship between
the injury claimed in the motion for injunctive relief and the 24 conduct asserted in the underlying
complaint. This requires a sufficient nexus between the claims 25 raised in a motion for injunctive
relief and the claims set forth in the underlying complaint itself.” 26 *Pacific Radiation Oncology,*
LLC v. Queen’s Med. Ctr., 810 F.3d 631, 633 (9th Cir. 2015). There 27 is a sufficient nexus if the
interim order “would grant ‘relief of the same character as that which 1 denied plaintiff’s request
for injunction to prevent HIPAA violation, where plaintiff had not 2 asserted HIPAA violation
claim). The complaint alleges use of excessive force and deliberate 3 indifference to his serious
medical needs by CTF correctional officials. The request for injunctive 4 } relief alleges
retaliation and interference with Plaintiffs access to the courts by VSP correctional 5 || officials.
The issues raised in the motion for injunctive relief are different from the allegations in 6 || the
operative complaint and therefore are not the proper basis for interim relief. *Pacific Radiation 7*

Oncology, LLC., 810 F.3d at 633 (plaintiff is not entitled to injunctive relief based on claims not 8
|| pled in complaint because “court’s equitable power lies only over the merits of the case or 9 ||
controversy before it.”). 10 Second, Fed. R. Civ. P. 65(d) provides that an injunction is binding
only on parties to the 11 action, their officers, agents, servants, employees and attorneys and those
“in active concert or 12 || participation” with them. Fed. R. Civ. P. 65(d). The defendants in this
action are CTF 13 correctional officials Magallon, Nagma, Singh, Flores, and Taylor; and CTF
LVN Aguilar. Valley 14 State Prison correctional officials are not parties to this action. There is no
indication that VSP 3 15 prison officials are acting in active concert or participation with
Defendants. In this action, the 16 || Court does not have jurisdiction over Valley State Prison
correctional officials. The Court 3 17 therefore cannot order Valley State Prison correctional
officials to take action or refrain from 18 taking action. 19 For the foregoing reasons, the Court
DENIES Plaintiff’s request for a temporary 20 || restraining order or preliminary injunction. 21
This order terminates ECF No. 21. 22 IT IS SO ORDERED. 23 Dated: August 29, 2025 .

24 JON S. TIGA

5 United States District Judge 26 27 28