UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

DANIEL DAVIS,

Plaintiff,

v.

UNKNOWN, et al.,

Defendants.

No. 2:23-cv-2358 DJC CSK P

ORDER

Plaintiff is a civil detainee, proceeding without counsel, with a civil rights action pursuant to 42 U.S.C. § 1983. For the following reasons, defendants are ordered to respond to plaintiff's motion for temporary restraining order and preliminary injunction filed March 23, 2026 (ECF No. 56).

On May 15, 2026, this Court recommended that plaintiff's motion for injunctive relief filed March 23, 2026 be denied. (ECF No. 64.) This Court found that plaintiff's pending motion challenged conditions of confinement at California State Prison-Sacramento ("CSP-Sac"). (Id.) This Court found that plaintiff's pending motion was moot because plaintiff had been transferred from CSP-Sac to Salinas Valley State Prison ("SVSP"). (Id.) On October 1, 2026, the district court declined to adopt the May 15, 2026 findings and recommendations. (ECF No. 74.) The district court found that plaintiff's claims were not mooted by his transfer from CSP-Sac to SVSP. (Id.) The district court found that plaintiff challenged the constitutionality of

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confinement, as a civil pretrial detainee, in any California Department of Corrections and Rehabilitation ("CDCR") prison. (Id.) Thus, mootness of his claims did not depend on being confined at any particular CDCR facility. (Id.) The district court found that because plaintiff sought an injunction ordering his release from the custody of CDCR so that he may be returned to the custody of the California State Hospital, plaintiff's claims and request for injunctive relief were not moot as long as plaintiff remained at any CDCR prison. (Id.) The district court referred plaintiff's motion for injunctive relief to the undersigned for consideration on the merits. (Id.)

Pursuant to the district court's October 1, 2026 order, all defendants are ordered to respond to plaintiff's motion for injunctive relief filed March 23, 2026.[1]

Accordingly, IT IS HEREBY ORDERED that within twenty-one days from the date of this order, all defendants shall file a response to plaintiff's motion for injunctive relief filed March 23, 2026.

Dated: October 20, 2026

CHI SOO KIM
UNITED STATES MAGISTRATE JUDGE

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[1] All defendants are represented by the California Attorney General's Office. However, defendants Price and Clendenin are represented by counsel in a different office within the California Attorney General's Office from counsel representing defendants Torrez, Lynch and Macomber. Both sets of defendants are ordered to respond to plaintiff's pending motion