

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF KENTUCKY  
AT LOUISVILLE  
CIVIL ACTION NO. 3:09CV-935-H**

**JAMES E. HOUSE**

**PLAINTIFF**

**v.**

**DANNY FACKLER *et al.***

**DEFENDANTS**

**MEMORANDUM OPINION AND ORDER**

Pending before the Court are five motions filed by Plaintiff seeking a transfer from the Bullitt County Detention Center (BCDC) to Louisville Metro Department of Corrections due to alleged threatening conditions at BCDC. (DNs 25, 26, 35, 41, and 43). The Court entered an Order on June 15, 2010, granting Plaintiff's motion for extension of time and giving him fourteen days to produce evidence substantiating the allegations he made in his motion for transfer. Plaintiff did not produce records in response to the Order but did file a motion to receive documents which appear to relate to his motion for transfer (DN 69). In DN 69, Plaintiff also requests the Court to "Seal all Documents on File with this Court . . . because of Counsel of Record for Defendants, Donna Bullock and Rose Smith Filed information that discloses personal Information of both the Plaintiff and the Defendants." However, the Court was not able to identify any personal information disclosed in the filings by Defendants Bullock and Smith.

In addition, Plaintiff has filed a motion for the BCDC to give him his personal property (DN 48); a motion to be removed from the hole, to receive legal supplies in mail, and to be allowed to bathe daily, attend Bible study, take part in outside rec daily, and use the telephone (DN 60); a motion for an extension of time to respond to the case due to BCDC officials holding his mail and for Plaintiff's mail received at BCDC to be logged and signed by him (DN 66); and

a motion to correct health and housing violations with respect to his incarceration at BCDC and again seeking a transfer (DN 68).

Although Plaintiff has not filed a notice of change of address, VINE Link lists Plaintiff as currently incarcerated at Louisville Metro Department of Corrections.<sup>1</sup> Moreover, the BCDC's website shows that he is no longer incarcerated there.<sup>2</sup> An inmate's claim for injunctive relief regarding the conditions of his confinement becomes moot due to the inmate's release from confinement or transfer to another facility. *See Kensu v. Haigh*, 87 F.3d 172, 175 (6th Cir. 1996) (finding inmate's request for injunctive relief moot as he was no longer confined to the institution where the alleged wrongdoing occurred). Therefore, Plaintiffs' motions seeking injunctive relief regarding the conditions of his confinement at the BCDC are now moot due to his transfer to Louisville Metro Department of Corrections. Accordingly, **IT IS ORDERED** that the motions (DNs 25, 26, 35, 41, 43, 48, 60, 66, 68, and 69) are **DENIED as moot**.

In addition, the Clerk of Court is **DIRECTED** to change Plaintiff's address on the docket sheet to the Louisville Metro Department of Corrections, 400 S. 6<sup>th</sup> Street, Louisville, KY 40202. Plaintiff is reminded that it is his responsibility to keep the Court informed of his current address. It is not the Court's responsibility to track down Plaintiff. Plaintiff is **WARNED** that any future failure to change his address of record with the Court in a timely fashion **will result in dismissal of this action**.

Further, an additional motion for immediate transfer was filed and signed by Maria Williams, Plaintiff's mother (DN 46). "[I]n federal court a party can represent himself or be

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<sup>1</sup>See [www.vinelink.com](http://www.vinelink.com).

<sup>2</sup>See [www.bullittdetention.com](http://www.bullittdetention.com).

represented by an attorney, but cannot be represented by a nonlawyer.” *Shepherd v. Wellman*, 313 F.3d 963, 970 (6th Cir. 2002); *Gonzales v. Wyatt*, 157 F.3d 1016, 1021 (5th Cir. 1998).

Plaintiff’s mother, a non-lawyer, cannot file a motion on Plaintiff’s behalf. Therefore, **IT IS ORDERED** that the motion (DN 46) is **DENIED**. Plaintiff is **WARNED** that any motion filed by a person other than himself or an attorney will be denied.

Date:

cc: Plaintiff, *pro se*  
Counsel of Record  
4412.010