

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

DANIEL SCHEUERMAN
Plaintiff

*

v.

Civil Action No. DKC-11-899

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GARY MAYNARD *et al.*
Defendants

*

MEMORANDUM OPINION

Pending is Defendants' Response to Show Cause which has been construed as a Motion for Summary Judgment. ECF No. 5. Plaintiff has filed a Reply. ECF No. 8. No hearing is necessary to resolve this matter. Also pending is Plaintiff's Motion for Leave to Proceed in Forma Pauperis. ECF No. 2. Because he appears to be indigent, his motion shall be granted.

Plaintiff filed this action seeking injunctive relief because Defendants were planning to transfer him to a prison in another state. ECF No. 1. Plaintiff alleged that a transfer out of state would interrupt his ongoing medical treatment for Hepatitis C. Plaintiff is currently assigned to protective custody where he has remained for two years. ECF No. 5 at Ex. A.

Defendants assert that Plaintiff was evaluated and approved for Interstate Corrections Compact (ICC) transfer. *Id.* Plaintiff filed an action in state court to prevent his transfer and correctional officials abandoned plans to transfer him. At present there is no plan to transfer Plaintiff and his evaluation and care for hepatitis C is ongoing. *Id.* Plaintiff concedes that his claim is moot and requests this action to be dismissed as moot. ECF No. 8. Accordingly, by separate Order which follows, the Complaint shall be dismissed as moot.

Date: July 13, 2011

/s/
DEBORAH K. CHASANOW
United States District Judge