

United States Court of Appeals
For the Eighth Circuit

No. 18-1844

Joel Marvin Munt

Plaintiff - Appellant

v.

Minnesota Department of Corrections; Tom Roy, Commissioner of Corrections;
Gloria H. Andreachi, A East Lt.; Bruce Julson, CPD Operations; Steven Hammer,
MCF-STW Warden; Bruce Reiser

Defendants - Appellees

Appeal from United States District Court
for the District of Minnesota - Minneapolis

Submitted: November 15, 2018
Filed: December 18, 2018
[Unpublished]

Before BENTON, BOWMAN, and ERICKSON, Circuit Judges.

PER CURIAM.

Minnesota inmate Joel Marvin Munt appeals the adverse entry of judgment by the District Court¹ in his action claiming violations of the Religious Land Use and Institutionalized Persons Act (RLUIPA). We conclude that Munt’s RLUIPA official-capacity claims for declaratory and injunctive relief are moot because he has been transferred from the correctional facility where the alleged violations occurred. See Zajrael v. Harmon, 677 F.3d 353, 355 (8th Cir.) (per curiam) (recognizing that because the plaintiff “is no longer subject to the policies that he challenges, there is no live case or controversy”); Smith v. Hundley, 190 F.3d 852, 855 (8th Cir. 1999) (noting a previous holding “that an inmate’s claims for declaratory and injunctive relief to improve prison conditions were moot when he was transferred to another facility and was no longer subject to those conditions”). We find no merit to Munt’s arguments in his original and amended reply briefs that the narrow exception to the mootness doctrine applies in this case, i.e., that the challenged conditions at issue here are capable of repetition yet evading review. See id. (discussing the application of the exception). We also see no basis for overturning the court’s judgment on Munt’s other claims. Accordingly, we affirm.

¹The Honorable Susan Richard Nelson, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Steven E. Rau, United States Magistrate Judge for the District of Minnesota.