

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION

DEENA ENFINGER,)	
)	
Plaintiff,)	
)	
vs.)	CASE NO. 2:12-cv-114-WHA
)	
EDWARD ELLINGTON, et al.,)	(WO)
)	
Defendants.)	

ORDER

This case is before the court on the Recommendation of the Magistrate Judge (Doc. #69), entered on January 12, 2015, and the Plaintiff's Objection (Doc. #70), filed on January 27, 2015. The court has conducted an independent evaluation and *de novo* review of the file in this case and finds as follows:

The objection is mainly a reassertion of arguments that were addressed by the Recommendation.

The Plaintiff does stress that she sustained undescribed "injuries" while incarcerated; however, her claims were not recommended to be dismissed for lack of injuries. Dismissal was recommended because her claims for injunctive relief were moot, because the undisputed facts did not support her remaining claims, and because there was no showing that her constitutional rights were violated with respect to the claims that were not moot.

The Plaintiff states that she submitted several affidavits in support of her complaint. The Recommendation does discuss those affidavits. While those affidavits were not discussed in the Recommendation, a review shows that they were the affidavits of a number of other prisoners

complaining about overcrowded prison conditions and about matters unrelated to the complaint.

The Recommendation contains no finding of a lack of evidence to support Enfinger's claim asserting overcrowded prison conditions; instead, dismissal of that claim was recommended because Enfinger sought only injunctive relief with respect to the claim, and any claim for injunctive relief was moot in light of Enfinger's release from prison.

Therefore, the court finds the Objection to be without merit, and it is OVERRULED.

The court ADOPTS the Recommendation of the Magistrate Judge, and it is hereby ORDERED as follows:

1. The Defendants' Motions for Summary Judgment (Docs #23, 25, 35, 37 and 38) are GRANTED, and this case is DISMISSED with prejudice.

2. Final Judgment will be entered in favor of the Defendants.

DONE this 2nd day of February, 2015.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE