

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

DAVID A. CAWTHON,)	
)	
Plaintiff,)	
)	CIVIL ACTION NO.
v.)	2:15cv429-MHT
)	(WO)
MELISSA HEMINGWAY, et al.,)	
sued in their individual)	
and official capacities,)	
)	
Defendants.)	

OPINION and ORDER

Pursuant to the Administrative Procedures Act, 5 U.S.C. §§ 551-559, and Bivens v. Six Unknown Federal Narcotics Agents, 403 U.S. 388 (1971), plaintiff, a federal inmate, filed this lawsuit complaining about a denial of his right of meaningful access to the courts. He also filed in this case a "Motion for Preliminary Injunction ... and/or Protective Order" (doc. no. 30), seeking to stop the defendants from removing weight-lifting equipment from the Federal Prison Camp in Montgomery, Alabama, where he resides. This lawsuit is now before the court on the recommendation of the

United States Magistrate Judge that plaintiff's motion be denied as moot. There are no objections to the recommendation. After an independent and de novo review of the record, the court concludes that the magistrate judge's recommendation should be adopted.

Accordingly, it is ORDERED that:

(1) The magistrate judge's recommendation (doc. no. 79) is adopted.

(2) The "Motion for Preliminary Injunction ... and/or Protective Order" (doc. no. 30) is denied as moot. Contained within said motion is also an alternative "Motion for Temporary Restraining Order," which was denied by order entered on October 22, 2015 (doc. no. 31).

This case is referred back to the United States Magistrate Judge for further proceedings.

DONE, this the 15th day of July, 2016.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE