

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

LARRY JERONE GRADY, # 143344,)	
)	
Petitioner,)	
)	
v.)	Civil Action No. 3:11cv430-WKW
)	(WO)
KENNETH JONES, <i>et al.</i> ,)	
)	
Respondents.)	

ORDER ON MOTION

The petitioner, a state inmate whose petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254 is pending before the court,¹ has filed a pleading in this action styled as a “Motion for Declaratory and Injunctive Relief,” in which he requests that this court direct Warden Kenneth Jones of the Bullock County Correctional Facility to return to him his § 2254 petition, his supporting brief, and all related evidentiary materials. Doc. No. 35. The court construes this pleading as a Motion to Compel.

The petitioner maintains, in cursory fashion, that the requested documents are material to his litigation in this pending habeas action. Doc. No. 35 at 4. However, he fails to show how the loss of these legal materials has prevented him from presenting a claim or prosecuting this action, or that he has suffered any actual injury as a result. In this and previous pleadings, the petitioner alleges that he first lost access to these legal materials, as

¹ The petitioner filed his § 2254 petition (Doc. No. 1) on June 3, 2011.

