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5 UNITED STATES DISTRICT COURT  
6 NORTHERN DISTRICT OF CALIFORNIA  
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8 BERNARDOS GRAY, JR.,

No. C 13-4929 SI (pr)

9 Plaintiff,

**ORDER DENYING REQUEST FOR  
PRELIMINARY INJUNCTION AS  
MOOT**

10 v.

11 G. D. LEWIS; et al.,

12 Defendants.  
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15 In this action, plaintiff sued prison officials for impeding his efforts to practice his House  
16 of Yahweh religion at Pelican Bay State Prison by denying him a kosher diet and other religious  
17 accommodations. At the parties' mutual request, this action was referred to the *Pro Se* Prisoner  
18 Mediation Program on June 29, 2015, with an instruction that the mediation proceedings take  
19 place within 120 days. *See* Docket # 56 at 12. On August 18, 2015, the court denied plaintiff's  
20 second motion for a preliminary injunction regarding meal service "without prejudice to plaintiff  
21 filing a new motion with an adequate evidentiary presentation, but only if the parties are unable  
22 to resolve their disputes through mediation." Docket # 57.

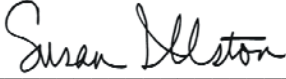
23 Plaintiff has filed another motion for a preliminary injunction requiring prison officials  
24 to forward his legal materials to him in his new prison. Docket # 59. Plaintiff was paroled on  
25 September 2, 2015, two days after his motion was filed. *See* Docket # 60. Plaintiff's release  
26 from CDCR custody makes his motion for a preliminary injunction moot. *See generally Dilley*  
27 *v. Gunn*, 64 F.3d 1365, 1368-69 (9th Cir. 1995) ("An inmate's release from prison while his  
28 claims are pending generally will moot any claims for injunctive relief relating to the prison's

1 policies”). Since he is no longer in the custody of the CDCR, plaintiff needs to make  
2 arrangements to have his property sent to his home or some other address outside prison.  
3 Plaintiff’s motion for a preliminary injunction is DENIED as moot. Docket # 59.

4 Finally, the court recently requested that Magistrate Judge Vadas schedule a mediation  
5 session for this action in September 2015. Docket # 58 at 2. In light of plaintiff’s release from  
6 custody, the need for mediation on an accelerated schedule is no longer present. Magistrate  
7 Judge Vadas is requested to schedule this matter for mediation within **ninety days** of the date  
8 of this order. The clerk shall send a copy of this order to Magistrate Judge Vadas.

9 IT IS SO ORDERED.

10 Dated: September 8, 2015

  
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SUSAN ILLSTON  
United States District Judge