

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 15-cv-02693-REB-MEH

WILLIAM B. ELLER,

Plaintiff,

v.

MR. TOUCHE,
MRS. RUCH,
MRS. PARK,
MRS. TAVNER,
MR. LEFEVER,
MR. RUSSELL,
SARAH DARULA, and
NICOLE ALBRIGHT,

Defendants.

**ORDER ADOPTING RECOMMENDATION OF THE
UNITED STATES MAGISTRATE JUDGE**

Blackburn, J.

The matter before me is the **Recommendation of United States Magistrate Judge** [#25],¹ filed January 15, 2016. No objection having been filed to the recommendation, I review it for plain error only. *See Morales-Fernandez v. Immigration & Naturalization Service*, 418 F.3d 1116, 1122 (10th Cir. 2005).²

¹ “[#25]” is an example of the convention I use to identify the docket number assigned to a specific paper by the court’s case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

² This standard pertains even though plaintiff is proceeding *pro se* in this matter. *Morales-Fernandez*, 418 F.3d at 1122. In addition, because plaintiff is proceeding *pro se*, I have construed his pleadings more liberally and held them to a less stringent standard than formal pleadings drafted by lawyers. *See Erickson v. Pardus*, 551 U.S. 89, 94, 127 S. Ct. 2197, 2200, 167 L.Ed.2d 1081 (2007); *Andrews v. Heaton*, 483 F.3d 1070, 1076 (10th Cir. 2007); *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991) (citing *Haines v. Kerner*, 404 U.S. 519, 520-21, 92 S.Ct. 594, 595-96, 30 L.Ed.2d 652 (1972)).

I perceive no error, much less plain error, in the magistrate judge's recommended disposition. It is plain that plaintiff's transfer to another prison facility moots his request for injunctive relief against officials employed at the prior facility. Accordingly, I find and conclude that the recommendation should be approved and adopted.

THEREFORE, IT IS ORDERED as follows:

1. That the **Recommendation of United States Magistrate Judge** [#25], filed January 15, 2016, is approved and adopted as an order of this court; and
2. That plaintiff's **Motion for a Temporary Restraining Order and Preliminary Injunction** [#3], filed December 11, 2015, is denied.

Dated February 10, 2016, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge