

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

R. CASPER ADAMSON,
Petitioner,

vs.

Case No. 3:08cv274/MCR/EMT

WALTER A. McNEIL,
Respondent.

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ORDER

Before the court is a petition for writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, in which Petitioner challenges, on due process grounds, a disciplinary report issued April 17, 2008, which resulted in his placement in disciplinary confinement for thirty (30) days and an upgrade in his custody status to CMII (Close Management II) (Doc. 1 at 4, 8–30).¹ As relief, Petitioner seeks expungement of the disciplinary report and release from close management (*id.* at 30).

On July 29, 2010, Petitioner filed a notice of change of address stating that he had been transferred to Everglades Correctional Institution (Doc. 35). Additionally, the court takes judicial notice of the public information available on the Department of Corrections’ website, which states that Petitioner’s custody classification is “Medium.” Because Petitioner challenges only his placement in disciplinary confinement for thirty days (in April of 2008) and his CMII custody classification (to which it appears he is no longer assigned), his claim for habeas relief appears moot. *See Spencer v. Kemna*, 523 U.S. 1, 118 S. Ct. 978, 140 L. Ed. 2d 43 (1998); *Lane v. Williams*, 455 U.S. 624, 102 S. Ct. 1322, 71 L. Ed. 2d 508 (1982); *Hernandez v. Wainwright*, 796 F.2d 389 (11th Cir. 1986).

¹ The page references used in this Order reflect the page numbers as enumerated in the court’s electronic docketing system rather than those the parties may have assigned.

Accordingly, it is **ORDERED**:

Within **THIRTY (30) DAYS** from the date of docketing of this order, the parties shall file supplemental briefs on the sole issue of whether this habeas action is moot.

DONE AND ORDERED this 7th day of September 2010.

/s/ Elizabeth M. Timothy

ELIZABETH M. TIMOTHY
UNITED STATES MAGISTRATE JUDGE