

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION

HARRY LEE BOGGS, JR.,
:
:
Plaintiff,
:
:
v.
:
BIBB COUNTY, GEORGIA, *et al.*,
:
:
Defendants.
:

CASE NO. 5:12-CV-465-MTT-MSH
42 U.S.C. § 1983

ORDER

Plaintiff Boggs, currently an inmate at the Valdosta State Prison, has filed a *pro se* civil rights complaint under 42 U.S.C. § 1983. (Doc. 1). Before the Court is Plaintiff’s motion for relief from ongoing sexual and physical abuse, which this Court has deemed a Motion for a Temporary Restraining Order (“TRO”) and Preliminary Injunction. (Doc. 14).

Plaintiff’s complaint alleges that he has been physically and sexually abused, denied medical care, and forced to live in unhygienic conditions at the Bibb County LEC. (Doc. 1). In the present motion, Plaintiff asks the Court for relief from ongoing sexual and physical abuse at the hands of the Defendants, and again cites to unhygienic conditions at the Jail. (Doc. 14 at 1).

The standard for obtaining a TRO is identical to that for obtaining a preliminary injunction. *See Windsor v. United States*, 379 F. App’x. 912, 916–17 (11th Cir. 2010). Such relief is only appropriate where the movant demonstrates that: (a) there is a substantial likelihood of success on the merits; (b) the preliminary injunction is necessary to prevent irreparable injury; (c) the threatened injury outweighs the harm

that a preliminary injunction would cause to the non-movant; and (d) the preliminary injunction would not be adverse to the public interest. *Parker v. State Bd. of Pardons & Paroles*, 275 F.3d 1032, 1034-35 (11th Cir. 2001). An irreparable injury “must be neither remote nor speculative, but actual and imminent.” *Siegel v. LePore*, 234 F.3d 1163, 1176 (11th Cir.2000) (citations omitted).

In the present motion, Plaintiff seeks relief in the form of a transfer to another prison. (Doc. 14 at 2.) On May 17, 2013, Plaintiff informed the Court that he had been transferred to Valdosta State Prison. Thus, the relief sought by Plaintiff in his request for a Temporary Restraining Order and Preliminary Injunction has been given. Accordingly, Plaintiff’s Motion for injunctive relief is dismissed as **MOOT**.

SO ORDERED, this 19th day of July, 2013.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT