

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

<p><b>MITCHELL LAVERN LUDY,</b></p> <p style="padding-left: 100px;"><b>Plaintiff,</b></p> <p><b>v.</b></p> <p><b>CYNTHIA NELSON, <i>et al.</i>,</b></p> <p style="padding-left: 100px;"><b>Defendants.</b></p> <hr style="width: 100%;"/>	<p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p> <p>)</p>	<p><b>CIVIL ACTION NO. 5:13-CV-353 (MTT)</b></p>
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**ORDER**

This matter is before the Court on the Recommendation of United States Magistrate Judge Stephen Hyles. (Doc. 5). After screening the complaint pursuant to 28 U.S.C. § 1915A, the Magistrate Judge recommends allowing the Plaintiff’s RLUIPA claims to go forward. However, the Magistrate Judge recommends dismissing the Plaintiff’s request for an injunction because that claim became moot upon his transfer to another facility. The Plaintiff filed an objection to the Recommendation. He claims he has not been transferred and is still incarcerated in the same institution where the alleged constitutional violations occurred.

Pursuant to 28 U.S.C. § 636(b)(1), the Court has considered the Plaintiff’s objections and has made a de novo determination of the portions of the Recommendation to which the Plaintiff objects. It appears that the Plaintiff is correct, and he has not been transferred to a different facility. The Court has reviewed the Recommendation, and the Recommendation is adopted and made the order of this

Court except as to its finding that the Plaintiff's claim for injunctive relief should be dismissed. Accordingly, all of the Plaintiff's claims shall proceed.

**SO ORDERED**, this the 1st day of October, 2013.

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