

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

PHILLIP NATHAN KERCH,

Plaintiff,

v.

Warden GLEN JOHNSON, et al.,

Defendants.

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CASE NO. 5:17-CV-186(MTT)

ORDER

United States Magistrate Judge Charles H. Weigle recommends denying the Plaintiff's motion for a temporary restraining order (Doc. 3) because the motion is moot and, in the alternative, the Plaintiff has failed to satisfy the necessary prerequisites for the Court to issue of such a drastic remedy. Doc. 32. The Plaintiff, who is proceeding pro se, has not objected and indeed has made a handwritten filing in which he agrees that his motion is now moot. See Doc. 35 at 1 ("I was moved to Ga. State Prison and I received the Recommendation Order late—yet the T.R.O. is moot due to me no longer there [sic], yet I hope this Court allows us to proceed to the next phase in this matter and that the defendants are punished for all I was put through as all the documents can show."). The Court has reviewed the Recommendation, and the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. Accordingly, the Recommendation (Doc. 32) is **ADOPTED** and made the order of this Court, and the Plaintiff's motion (Doc. 3) is **DENIED**.

SO ORDERED, this 19th day of January, 2018.

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