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

RECKO ELLIS,	:	
Plaintiff	:	
VS.	:	
Officer YORK,	:	NO. 7:07-CV-68 (HL)
Defendant	:	
		RECOMMENDATION

Before the Court is plaintiff **RECKO ELLIS'** motion for "a restraint order to be placed on the defendants in this case until this case is disposed of for the safety of the plaintiff." Under established law of this circuit, a prisoner's claim for declaratory and injunctive relief is mooted by his transfer or release from the facility about which he complains. ***Zatler v. Wainwright***, 802 F.2d 397, 399 (11th Cir. 1986). Because plaintiff was transferred from the Lowndes County Jail, his claims for injunctive relief are now moot, as the defendants are no longer in a position to violate plaintiff's constitutional rights. Accordingly, it is RECOMMENDED that plaintiff's motion be **DENIED** as moot.

Pursuant to 28 U.S.C. § 636(b)(1), plaintiff may serve and file written objections to this recommendation with the district judge to whom this case is assigned, within ten (10) days after being served a copy of this order.

SO RECOMMENDED, this 2nd day of July, 2007.

/s/ Richard L. Hodge
RICHARD L. HODGE
UNITED STATES MAGISTRATE JUDGE

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