UNITED STATES DISTRICT COURT EASTERN DISTRICT OF KENTUCKY NORTHERN DIVISION at COVINGTON

RICHARD MCBEE,)	
Plaintiff,)	Civil Action No. 2: 17-38-WOB
v.)	
CAMPBELL CO. DET. CENTER, et al.,)	MEMORANDUM OPINION
Defendant.)	AND ORDER
)	
***	*** *	** ***

In 2016, plaintiff Richard McBee filed a pro se civil rights complaint in this Court asserting over a dozen claims loosely related to the ongoing criminal prosecution against him and to the conditions of his confinement at the Campbell County Detention Center. [R. 1]. The Court conducted a preliminary review of McBee's complaint and determined that he improperly alleged multiple distinct claims against several different defendants in one case. [R. 4]. While the Court resolved some of those claims, it severed the remaining claims from McBee's complaint and directed the Clerk of the Court to open new civil actions in which those unrelated claims could be resolved. [R. 4].

This case is one of those new civil actions, and it involves only McBee's claim that the defendants failed to provide him with a Kosher diet and, thus, violated his First Amendment rights, the Religious Land Use and Institutionalized Persons Act, and various provisions of state law. [R. 1 at 15-16, 29]. McBee has also filed a motion for a preliminary injunction regarding this issue. [R. 3].

The Court, however, will deny McBee's claims without prejudice because he has not provided any substance to his one conclusory allegation—that the diet he received and was apparently identified as Kosher was not truly Kosher. [R. 1 at 15-16]. For example, McBee does not describe with any particularity his religious dietary needs, the actual food that was provided to him, and what injuries he suffered. Simply put, McBee has given the Court very little to go on and, for that reason, the Court will dismiss his claims without prejudice. That said, McBee is certainly welcome to file a new complaint in which he provides the Court with more information regarding the basis for his religious-based claims.

Accordingly, **IT IS ORDERED** that:

- McBee's complaint in this action [R. 1 at 15-16] is **DISMISSED WITHOUT** PREJUDICE.
- 2. McBee's motion for a preliminary injunction [R. 3] is **DENIED AS MOOT**.
- 3. This action is **STRICKEN** from the Court's docket.
- 4. A corresponding judgment will be entered this date.

This 10th day of August, 2017.



Signed By:

<u>William O. Bertelsman</u>

United States District Judge