

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

SCOTT ANDREW WITZKE,

Plaintiff,

v.

RUSS MARLAN, ET AL.,

Defendants.

Case No. 16-13753

SENIOR U.S. DISTRICT JUDGE
ARTHUR J. TARNOW

U.S. MAGISTRATE JUDGE
ANTHONY P. PATTI

**ORDER ADOPTING REPORT AND RECOMMENDATION [62]; GRANTING
PLAINTIFF'S MOTION TO DISMISS/WITHDRAW INJUNCTIVE RELIEF CLAIMS ON
MOOTNESS GROUNDS [57]; AND DEEMING AS WITHDRAWN PLAINTIFF'S MOTION
FOR PRELIMINARY INJUNCTION [31], PLAINTIFF'S AMENDED MOTION FOR
PRELIMINARY INJUNCTION [38], AND ALL OTHER REQUESTS FOR INJUNCTIVE
RELIEF**

Pro se Plaintiff Scott Andrew Witzke, a parolee, has brought claims against various Michigan Department of Corrections ("MDOC") officials pursuant to 42 U.S.C. § 1983. On March 19, 2018 the Magistrate Judge issued a Report and Recommendation (R&R) [Dkt. #62] advising the Court to grant Plaintiff's Motion to Dismiss/Withdraw Injunctive Relief Claims on Mootness Grounds [57] and deem as withdrawn Plaintiff's Motion for Preliminary Injunction [31], Plaintiff's Amended Motion for Preliminary Injunction [38], and Plaintiff's requests for injunctive relief contained within the Amended Complaint [47]. Neither party filed Objections to the R&R. Fed. R. Civ. P. 72(b)(2).

The Court having reviewed the record, the Report and Recommendation [62] is hereby **ADOPTED** and entered as the findings and conclusions of the Court. Accordingly,

IT IS ORDERED that Plaintiff's Motion to Dismiss/Withdraw Injunctive Relief Claims on Mootness Grounds [57] is **GRANTED**.

IT IS FURTHER ORDERED that Plaintiff's Motion for Preliminary Injunction [31], Plaintiff's Amended Motion for Preliminary Injunction [38], and all other requests for injunctive relief are **DEEMED AS WITHDRAWN**.

SO ORDERED.

Dated: April 12, 2018

s/Arthur J. Tarnow
Arthur J. Tarnow
Senior United States District Judge