

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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AKENATEN BLUEHORSE,

Case No. 3:17-cv-00702-MMD-VPC

Plaintiff,

ORDER

v.

CITY OF RENO, *et al.*,

Defendants.

14 Plaintiff was a pretrial detainee in the custody of the Washoe County Detention
15 Facility when he initiated this case. Plaintiff has submitted a civil rights complaint pursuant
16 to 42 U.S.C. § 1983, a motion for preliminary injunction, two applications to proceed *in*
17 *forma pauperis*, a request for a filing fee reimbursement, and a motion for permission to
18 e-file. (ECF No. 1-1, 1-2, 5, 7, 8.) Plaintiff paid the full filing fee for this case. (ECF No. 4.)
19 Plaintiff is no longer incarcerated. (ECF No. 6.) The Court has not yet screened the
20 complaint.

I. MOTION FOR PRELIMINARY INJUNCTION

22 Plaintiff's motion for preliminary injunction raised issues about his medical
23 treatment at the Washoe County Detention Facility. (See generally ECF No. 1-2.) The
24 Court denies Plaintiff's motion for preliminary injunction as moot because Plaintiff is no
25 longer incarcerated at the county jail and has not demonstrated a reasonable expectation
26 of returning to the county jail. See *Johnson v. Moore*, 948 F.2d 517, 519-22 (9th Cir. 1991)
27 (holding that claims for injunctive relief related to a prison's policies are moot where a
28 prisoner has been transferred to another facility and shows no reasonable expectation of

1 return); *see Murphy v. Hunt*, 455 U.S. 478, 482 (1982) (exception to mootness that case
2 is capable of repetition yet evading review limited to circumstances where there is a
3 reasonable expectation that the same complaining party would be subject to the same
4 action again).

5 The Court makes no determination on the merits of the allegations in Plaintiff's
6 complaint. The Court will enter a screening order on the complaint in a separate order.
7 The screening process will take several months.

8 **II. MISCELLANEOUS MOTIONS**

9 The Court denies the applications to proceed *in forma pauperis* (ECF No. 5, 7) as
10 moot in light of the fully paid filing fee.

11 The Court acknowledges Plaintiff's request to be "reimbursed filing fee that was
12 borrowed (and paid a few days ago)." (ECF No. 7 at 1). However, the Court denies the
13 request at this time. The Court notes that a person named Terrance Walker paid the \$400
14 filing fee on Plaintiff's behalf in person to the Clerk's Office in cash. (ECF No. 4.) Plaintiff
15 is not Terrance Walker and the Court will not issue Plaintiff \$400 paid by another person.

16 The Court also denies the motion for permission to e-file (ECF No. 8) without
17 prejudice at this time. Plaintiff may re-file this motion but must explain why he is unable
18 to file through U.S. Mail or in person given his proximity to the federal courthouse.

19 **III. CONCLUSION**

20 For the foregoing reasons, it is ordered that the motion for preliminary injunction
21 (ECF No. 1-2) is denied as moot.

22 It is further ordered that the applications to proceed *in forma pauperis* (ECF No. 5,
23 7) are denied as moot.

24 It is further ordered that the request for reimbursement of filing fee (ECF No. 7) is
25 denied.

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1 It is further ordered that the motion for permission to e-file (ECF No. 8) is denied
2 without prejudice.

3 DATED THIS 12th day of January 2018.



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5 MIRANDA M. DU
6 UNITED STATES DISTRICT JUDGE
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