

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

ROBERT EARL BURNEY, JR.,	)	
	)	
Petitioner,	)	
	)	
v.	)	1:12CV8
	)	
MAJOR MCRAINEY, et al.,	)	
	)	
Respondent(s).	)	

**ORDER AND RECOMMENDATION**  
**OF UNITED STATES MAGISTRATE JUDGE**

**IT IS ORDERED** that Petitioner’s paper-writing (Docket Entry 37) is construed as a Motion to Appoint Counsel and is **DENIED** without prejudice in light of the Judgment entered on March 1, 2012 (Docket Entry 18).

**IT IS RECOMMENDED** that Petitioner’s “Motion for Injunction” (Docket Entry 38) be **DENIED** without prejudice in light of the Judgment entered on March 1, 2012 (Docket Entry 18), and Richardson v. Virginia Dep’t of Corr., 437 Fed. Appx. 235 (4th Cir. 2011).

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/s/ L. Patrick Auld  
**L. Patrick Auld**  
**United States Magistrate Judge**

Date: July 23, 2012