

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

LEONARD G. YOUNG, JR.,)	
)	
Plaintiff,)	Civil Action No. 10-284
)	Judge Fisher
v.)	Magistrate Judge Eddy
)	
JEFFREY BEARD, <i>et al.</i> ,)	
)	
Defendants.)	

MEMORANDUM ORDER

Leonard G. Young (“Plaintiff”) currently is an inmate incarcerated at the State Correctional Institution at Smithfield (“SCI-Smithfield”), in Huntingdon, Pennsylvania. Plaintiff brings this lawsuit pursuant to the Civil Rights Act of 1871, 42 U.S.C. § 1983 *et seq.*, alleging violations of the First, Eighth, and Fourteenth Amendments to the Constitution of the United States with respect to acts or omissions that allegedly took place during his confinement at the State Correctional Institution at Greene (“SCI-Greene”). Am. Compl. (Docket No. 35 ¶ 8). This lawsuit was initiated by the receipt of the initial complaint, as an attachment to Plaintiff’s motion for leave to proceed *in forma pauperis* (“IFP”), on March 1, 2010. (Docket No. 1). Plaintiff was granted leave to proceed IFP on the same day. (Docket No. 2) Currently before this Court is Plaintiff’s motion for preliminary injunction. (Docket No. 54).

This matter was referred to a United States Magistrate Judge for pretrial proceedings in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.C and 72.D of the Local Rules for Magistrate Judges. On November 28, 2011, the magistrate judge issued a report and recommendation recommending that Plaintiff’s motion be denied as moot. (Docket No. 62). A copy of the report was mailed to Plaintiff at his address of record, and Plaintiff was given until

December 12, 2011, to file objections. As of the date of this writing, no objections have been filed.

After *de novo* review of the pleadings and documents in the case, together with Plaintiff's motion for preliminary injunction (Docket No. 54) and the report and recommendation (Docket No. 62), the following ORDER is entered:

AND NOW, this 20th day of December, 2011,

IT IS HEREBY ORDERED Plaintiff's motion for preliminary injunction (Docket No. 54) is DENIED as MOOT.

IT IS FURTHER ORDERED that the magistrate judge's report and recommendation (Docket No. 62) is adopted as the opinion of this Court.

BY THE COURT:



NORA BARRY FISCHER
UNITED STATES DISTRICT JUDGE

cc:
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