

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JOHN FISHER, Jr.,)	
)	No. 3:14-cv-01795
Plaintiff,)	Chief Judge Sharp
)	
v.)	
)	
UNITED STATES MARSHALS SERVICE, et al.,)	
)	
Defendants.)	

ORDER

In this case brought by a federal pre-trial detainee¹ complaining of violations of his constitutional rights in the Robertson County Detention Center, the Magistrate Judge has entered a Report and Recommendation (“R & R”) (Docket Entry No. 23) recommending that Plaintiff’s various motions for immediate injunctive relief (Docket Entry Nos. 5, 8, 14) be denied. Plaintiff has filed a timely objection to the R & R. (Docket Entry No. 32.)

Plaintiff’s motions, filed while he was housed at the Robertson County Detention Center, sought a transfer to a facility in Grayson, Kentucky, for the purpose of accessing allegedly superior health care and legal resources (Docket Entry Nos. 5, 14), and an order requiring “defendants to carry out a plan of reasonable treatment” of Plaintiff’s alleged medical conditions. (Docket Entry No. 8, at 4.) The Magistrate Judge points out that after Plaintiff filed his motions, he was transferred to the Criminal Justice Center (“CJC”) in Davidson County, Tennessee, which is confirmed by the return address on the envelope containing Plaintiff’s objection. (See Docket Entry No. 32, at 7.) Accordingly, the Magistrate Judge concludes that Plaintiff’s request for a transfer and for an order requiring the defendant health care providers at the Robertson County Detention Center to provide treatment should be denied as moot.

Plaintiff acknowledges in his objection that his requests for transfer are moot. (Docket Entry No. 32, at 4.) While he complains vaguely about lack of medical care, inadequate legal resources and an inmate assault at his current place of confinement, his allegations are too lacking in specifics to state a claim, much less support preliminary injunctive relief. Moreover, Plaintiff has not named anyone at CJC

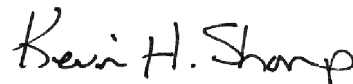
¹ The Court notes that since this action was filed, Plaintiff has pleaded guilty and is now awaiting sentencing. See Docket Entry No. 100, *United States of America v. John Fisher*, No. 3:13-cr-00091.

as being responsible for his perceived mistreatment or moved to amend his complaint to incorporate any claims against them.

Having thoroughly reviewed the record in this case and the applicable law, the Court hereby overrules Plaintiff's objection and accepts and approves the Magistrate Judge's Report and Recommendation for the reasons set forth therein and above. Accordingly, Plaintiff's motions for temporary restraining order and injunctive relief (Docket Entry Nos. 5, 8, 14) are **DENIED** as moot.

The Court notes that Plaintiff's objection also contains one page devoted to his "appeal that RCDC and the US Marshal Service be removed from this case." (Docket Entry No. 32, at 2.) The Court construes this plea as a motion to reconsider the Court's Order on initial review of this action dismissing Plaintiff's claims against the Robertson County Jail and the United States Marshals Service. (See Docket Entry No. 19.) For the reasons set forth in the Memorandum accompanying that Order (Docket Entry No. 18), neither of those entities is a proper defendant to this action, and Plaintiff's motion to reconsider is **DENIED**.

It is so **ORDERED**.



Kevin H. Sharp, Chief Judge
United States District Court