

IN THE UNITED STATES DISTRICT COURT
 FOR THE EASTERN DISTRICT OF TEXAS

BEAUMONT DIVISION

RYAN POUILLARD	§	
VS.	§	CIVIL ACTION NO. 1:06-CV-82 (consolidated with NO. 1:07-CV-168)
RUDY CHILDRESS, ET AL.	§	

MEMORANDUM ORDER OVERRULING PLAINTIFF’S OBJECTIONS AND ADOPTING
THE MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION

Plaintiff Ryan Poullard, a former prisoner, proceeding *pro se* and *in forma pauperis*, filed these civil actions pursuant to *Bivens v. Six Unknown Agents of the Federal Bureau of Narcotics*, 403 U.S. 388 (1971), the Religious Freedom Restoration Act (“RFRA”), 42 U.S.C. § 2000bb, and the Religious Land Use and Institutionalized Persons Act of 2000 (“RLUIPA”), 42 U.S.C. § 2000cc.

The court ordered that these matters be referred to the Honorable Earl S. Hines, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court. The magistrate judge has submitted a Report and Recommendation of United States Magistrate Judge. The magistrate judge recommends dismissing the case.

The court has received and considered the Report and Recommendation of United States Magistrate Judge, along with the record, pleadings, and all available evidence. Plaintiff filed objections to the magistrate judge’s Report and Recommendation.

The court has conducted a *de novo* review of the objections in relation to the pleadings and the applicable law. *See* FED. R. CIV. P. 72(b). After careful consideration, the court concludes the objections are without merit. Plaintiff is barred from recovering compensatory damages because he did not suffer any physical injuries as a result of the defendants’ actions. 42 U.S.C. § 1997e(e).

Plaintiff's requests for declaratory and injunctive relief are moot because he has been released from prison. *Herman v. Holiday*, 238 F.3d 660, 665 (5th Cir. 2001).

ORDER

Accordingly, plaintiff's objections are **OVERRULED**. The findings of fact and conclusions of law of the magistrate judge are correct and the report of the magistrate judge is **ADOPTED**. A final judgment will be entered in this case in accordance with this memorandum order.

So **ORDERED** and **SIGNED** this **9** day of **September, 2008**.



Ron Clark, United States District Judge