

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

THOMAS RAYMOND MENEI,

Plaintiff,

v.

CIVIL ACTION NO. 2:11-cv-00967

JIM RUBENSTEIN, et al.,

Defendants.

ORDER

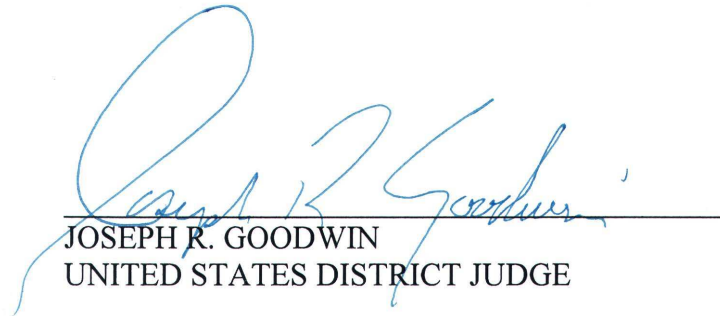
This case was referred to the Honorable Mary E. Stanley, United States Magistrate Judge, for submission to this court of proposed findings of fact and recommendation for disposition, pursuant to 28 U.S.C. § 636(b)(1)(B). The Magistrate Judge has submitted findings of fact and recommended that the plaintiff's claims for declaratory or injunctive relief be dismissed because they "*are now moot*, due to the plaintiff's transfer to the [Northern Regional Jail and Correctional Facility], which is located within the Northern District of West Virginia." (Proposed Findings and Recommendation [Docket 55], at 2) (emphasis added). No objections have been filed.

Accordingly, I **ADOPT** and incorporate herein the findings and recommendation of the Magistrate Judge. I **DISMISS as moot** all of the plaintiff's claims for declaratory and injunctive relief, in light of the plaintiff's transfer to another correctional facility.

This matter shall remain referred to the Magistrate Judge for additional proceedings concerning the plaintiff's claims for monetary damages against the defendants in their individual capacities.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and any unrepresented party.

ENTER: June 6, 2013



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE