

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA

AT CHARLESTON

MATTHEW STUART WADE,  
  
Plaintiff,

v.

Civil Action No. 2:13-012817

DAVID BALLARD, Warden,  
Mount Olive Correctional Complex,  
  
Defendant.

MEMORANDUM OPINION AND ORDER

This action was previously referred to Dwane L. Tinsley, United States Magistrate Judge, who has submitted his Proposed Findings and Recommendation pursuant to the provisions of 28 U.S.C. § 636(b)(1)(B).

The court has reviewed the Proposed Findings and Recommendation entered by the magistrate judge on February 28, 2014. The magistrate judge recommends that the court deny the plaintiff's motion for a temporary restraining order/preliminary injunction. The plaintiff has not objected to the Proposed Findings and Recommendation.

The court concludes the recommended disposition is correct. Accordingly, it is ORDERED that:

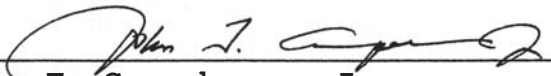
1. The Proposed Findings and Recommendation be, and it hereby is, adopted by the court;

2. The plaintiff's motion for a temporary restraining order/preliminary injunction be, and hereby is, denied; and

3. This action is referred anew to the assigned magistrate judge under the same conditions and authority set forth in the standing order entered June 7, 2013.

The Clerk is directed to forward copies of this written opinion and order to the pro se plaintiff, all counsel of record, and the United States Magistrate Judge.

DATED: March 21, 2014

  
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John T. Copenhaver, Jr.  
United States District Judge