

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA
AT CHARLESTON

MICHAEL JERMAINE GREENE,

Plaintiff,

v.

Civil Action No. 2:17-cv-02897

DAVID BALLARD, et al.,

Defendants.

ORDER

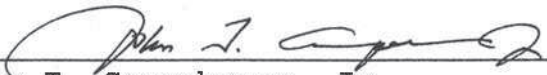
Pending is plaintiff's "Motion for Court Order to Have Defendants Move Him Back to Mt. Olive Corr. Complex for MHU Only." ECF No. 209. This action is referred to United States Magistrate Judge Dwane L. Tinsley for submission of Proposed Findings and Recommendation ("PF&R") for disposition pursuant to 28 U.S.C. § 636(b)(1)(B). On February 1, 2021, the magistrate judge entered his PF&R construing the motion as one for preliminary injunctive relief in the form of an order requiring that plaintiff be moved from the Huttonsville Correctional Center, where he is presently incarcerated, to the Mental Health Unit at Mount Olive Correctional Complex and recommending that the motion be denied. ECF No. 252. Plaintiff has not filed any objection to the PF&R. See 28 U.S.C. § 636(b)(1) (party has fourteen days from service of PF&R to file objections); see also

Fed. R. Civ. P. 6(d) (providing an additional three days where service is made by mail).

Plaintiff having not filed any objection to the PF&R, it is ORDERED that the findings made in the PF&R of the magistrate judge be, and they hereby are, adopted by the court and incorporated herein. It is further ORDERED that plaintiff's motion be, and it hereby is, denied.

The Clerk is directed to transmit copies of this order to all counsel of record, to any unrepresented parties, and to the United States Magistrate Judge.

ENTER: February 25, 2021



John T. Copenhaver, Jr.
Senior United States District Judge