

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF VIRGINIA

Seth Micah Hubbard v. David Cox, et al.

Hubbard · No. 7:26cv00111 · Decided May 19, 2026

SUMMARY

The United States District Court for the Western District of Virginia denied Seth Micah Hubbard’s motion for a preliminary injunction as moot. Hubbard, a Virginia inmate diagnosed with celiac disease, sought transfer from the Western Virginia Regional Jail based on allegations that he was not provided a medically necessary gluten-free diet; the court found that his transfer to Virginia Department of Corrections custody mooted the requested injunctive relief.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia
WRITING FOR THE COURT	Robert S. Ballou
JURISDICTION	United States District Court for the Western District of Virginia
DECIDED	May 19, 2026
DOCKET	7:26cv00111
DISPOSITION	denied
PROCEDURAL POSTURE	Plaintiff in a 42 U.S.C. § 1983 prisoner civil-rights action moved for a preliminary injunction requiring his transfer from the Western Virginia Regional Jail to the Virginia Department of Corrections.
PRECEDENTIAL VALUE	Unknown; memorandum opinion from a federal district court with no reporter citation.
PARTIES	Seth Micah Hubbard v. David Cox, et al.

TOPICS

- injunctions
- prisoners rights
- section 1983
- civil rights
- government liability

PRACTICE AREAS

- civil rights
- prisoner litigation
- federal civil procedure

QUESTIONS PRESENTED

1. Whether Hubbard's motion for preliminary injunctive relief concerning his confinement at the Western Virginia Regional Jail became moot after he was transferred from that facility.

HOLDINGS

1. A prisoner's transfer from the particular jail or prison challenged in the action moots a claim for injunctive relief concerning conditions at that facility when the prisoner is no longer subject to the challenged environment. Because Hubbard had been transferred from the Western Virginia Regional Jail, his motion for preliminary injunction was moot.

KEY QUOTATIONS

“[A]s a general rule, a prisoner’s transfer or release from a particular prison [or jail] moots his claim for injunctive ... relief with respect to his incarceration there.” (at 1)

“Once an inmate is removed from the challenged environment, he “has no further need for such ... injunctive relief, for he is free of the policy or practice that provoked his lawsuit in the first place.”” (at 1)

FACTUAL BACKGROUND

Hubbard, a Virginia inmate diagnosed with celiac disease, alleged that defendants associated with the Western Virginia Regional Jail injured him by failing to provide a medically necessary gluten-free diet. He sought immediate transfer from that jail to the Virginia Department of Corrections. During the proceedings, he was transferred to the Virginia Department of Corrections and confined at Bland Correctional Center.

PROCEDURAL HISTORY

Hubbard filed a § 1983 complaint alleging injuries from the failure to provide a medically necessary gluten-free diet. While the motion for preliminary injunction was pending, public records showed that Hubbard had been transferred to the custody of the Virginia Department of Corrections and was confined at Bland Correctional Center. The court denied the motion as moot.

DISPOSITION

denied

CASES CITED

- United States v. Garcia, 855 F.3d 615, 621 (4th Cir. 2017)
- Davis v. United States, No. 7:24-cv-00764, 2026 WL 1008162, at *1 n.1 (W.D. Va. Apr. 14, 2026)
- Rendelman v. Rouse, 569 F.3d 182, 186 (4th Cir. 2009)
- Firewalker-Fields v. Lee, 58 F.4th 104, 113-114 (4th Cir. 2023)
- Incumaa v. Ozmint, 507 F.3d 281, 287 (4th Cir. 2007)

OPINION

Hubbard

PER CURIAM.

CLERKS OFFICE U.S. DIST.

AT ROANOKE, VA

FILED

IN THE UNITED STATES DISTRICT COURT oa avrins □□□□□

FOR THE WESTERN DISTRICT OF VIRGINIA py. □

ROANOKE DIVISION s/A. Beeson

DEPUTY CLERK

SETH MICAH HUBBARD,)

Plaintiff,) Civil Action No. 7:26cv00111)

v.) MEMORANDUM OPINION

) DAVID COX, et al.,) By: Robert S. Ballou Defendants.) United States District Judge Seth Micah Hubbard, a Virginia inmate proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983 against six individuals employed at or associated with the Western Virginia Regional Jail. Hubbard, who has been diagnosed with celiac disease, seeks to hold defendants responsible for injuries he allegedly suffered because he did not receive a “medically necessary” gluten-free diet. ECF No. 3 at 1. The case is presently before the court on Hubbard’s Motion for Preliminary Injunction, requesting “immediate transfer from the Western Virginia Regional Jail to the Virginia Department of Corrections.” ECF No. 3 at 1. For the following reasons, the motion is denied as moot. Public records available online! indicate that Hubbard has been transferred to the custody of the Virginia Department of Corrections and that he is now confined at Bland Correctional Center. Virginia Department of Corrections, Inmate Locator, <https://vadoc.virginia.gov/general-public/inmate-and-supervisee-locator/inmate-search-results/?key=534a04e6-96b9-42bd-8149-933068ead65c>, archived at <https://perma.cc/DH4Q-BUB6R>. “[A]s a general rule, a prisoner’s ‘ Courts may take judicial notice of “a fact that is not subject to reasonable dispute because it ... can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned...at any stage of the proceeding.” Fed. R. Evid. 201. This includes taking judicial notice of government websites. *United States v. Garcia*, 855 F.3d 615, 621 (4th Cir. 2017); *Davis v. United States*, No. 7:24-cv-00764, 2026 WL 1008162 *1, fn 1 (W.D. Va. Apr. 14, 2026). transfer or release from a particular prison [or jail] moots his claim for injunctive ... relief with respect to his incarceration there.” *Rendelman v. Rouse*, 569 F.3d 182, 186 (4th Cir. 2009); *Firewalker-Fields v. Lee*, 58 F.4th 104, 113-114 (4th Cir. 2023). “The reasoning for finding mootness in such a context are clear.” *Incumaa v. Ozmint*, 507 F.3d 281, 287 (4th Cir. 2007). Once an inmate is removed from the challenged environment, he “has no further need for such ... injunctive relief, for he is free of the policy or practice that provoked his lawsuit in the first place.” *Id.* Accordingly, I will deny his motion for preliminary injunction. A separate

order will be entered this day. Enter: May 19, 2026 /s/ Robert S. Ballou Robert S. Ballou United States District Judge

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