

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
ALABAMA, NORTHERN DIVISION

Frederick Antonio Ford v. Anthony Parker, et al.

Ford · No. 2:23-CV-486-MHT-SMD · Decided January 27, 2026

SUMMARY

The magistrate judge recommends denying as moot Plaintiff Frederick Antonio Ford’s motion for a preliminary injunction in his 42 U.S.C. § 1983 excessive-force action against correctional officers. Because Ford had been transferred from the facility where the alleged conduct occurred and failed to establish a continuing threat or irreparable injury, the recommendation concludes that injunctive relief is unavailable.

CASE DETAILS

COURT	United States District Court for the Middle District of Alabama, Northern Division
WRITING FOR THE COURT	Stephen M. Doyle, Chief United States Magistrate Judge
JURISDICTION	United States District Court for the Middle District of Alabama, Northern Division
DECIDED	January 27, 2026
DOCKET	2:23-CV-486-MHT-SMD
DISPOSITION	writ_denied
PROCEDURAL POSTURE	Plaintiff brought a 42 U.S.C. § 1983 action alleging excessive force in violation of the Eighth Amendment and later moved for a preliminary injunction. The magistrate judge recommended denying the motion as moot and referred the case for further proceedings, subject to objections and review by the district court.
STANDARD OF REVIEW	Preliminary-injunction decisions are within the district court's sound discretion. A movant must clearly establish a substantial likelihood of success on the merits, irreparable injury absent relief, that the injunction would not substantially harm nonmoving parties, and that the injunction would not be adverse to the public interest.
PRECEDENTIAL VALUE	unpublished magistrate judge recommendation
PARTIES	Frederick Antonio Ford v. Anthony Parker, Travis Yelder, et al.

TOPICS

injunctions

section 1983

prisoners rights

civil rights

civil procedure

PRACTICE AREAS

prisoner civil rights

constitutional law

civil procedure

injunctive relief

mootness

QUESTIONS PRESENTED

1. Whether Plaintiff's request for preliminary injunctive relief was moot after he was transferred away from the facility where the underlying claims arose and then transferred again.
2. Whether Plaintiff demonstrated irreparable injury and otherwise satisfied the requirements for a preliminary injunction.

HOLDINGS

1. A prisoner's request for injunctive or declaratory relief in a § 1983 action becomes moot, absent class certification, when the prisoner is transferred or released from the facility where the underlying cause of action arose, because the threat of future harm has dissipated.
2. Plaintiff was not entitled to a preliminary injunction because he failed to show that he would suffer irreparable injury absent relief, and the requested relief was moot.

KEY QUOTATIONS

"A preliminary injunction is an extraordinary and drastic remedy, and [Plaintiff] bears the burden of persuasion to clearly establish all four of these prerequisites." (Standard of Review)

"In a § 1983 action filed by a prisoner, a request for injunctive and declaratory relief becomes moot upon the transfer or release of that prisoner from the facility where his cause of action arose." (Discussion)

"Equitable relief is a prospective remedy, intended to prevent future injuries." (Discussion)

"Accordingly, the undersigned RECOMMENDS that Plaintiff's Motion for Preliminary Injunction (Doc. 53) be DENIED as moot" (Conclusion)

FACTUAL BACKGROUND

Plaintiff, an incarcerated person, alleged that correctional officers Anthony Parker and Travis Yelder used excessive force against him at Kilby Correctional Facility. He was transferred from Elmore to Staton, Bullock, and then Limestone Correctional Facility. Approximately sixteen months after arriving at Limestone and nearly two years after leaving Kilby, he sought a preliminary injunction based on alleged threats, withheld mail, retaliatory segregation, and purported affiliations between Defendants and Alabama Department of Corrections officials. Two months after filing the motion, Plaintiff was transferred back to Elmore Correctional Facility.

PROCEDURAL HISTORY

Plaintiff filed this action on August 7, 2023, concerning alleged excessive force at Kilby Correctional Facility. After multiple transfers, he moved for a preliminary injunction seeking protection from alleged threats, interference with mail, retaliatory segregation, and a transfer to a safer facility. Defendants responded. The magistrate judge issued a recommendation that the motion be denied as moot, emphasizing that Plaintiff was no longer housed at the facility where the underlying claims arose and had subsequently been transferred again. The recommendation was expressly stated not to be a final, appealable order.

DISPOSITION

writ_denied

REMAND INSTRUCTIONS

The motion for preliminary injunction was recommended to be denied as moot, and the case was to be referred back to the magistrate judge for additional proceedings. The parties could file specific objections by February 10, 2026, after which the district court would conduct review under 28 U.S.C. § 636(b)(1).

CASES CITED

- Palmer v. Braun, 287 F.3d 1325 (11th Cir. 2002)
- Long v. Secretary, Department of Corrections, 924 F.3d 1171, 1176 (11th Cir. 2019)
- Wreal, LLC v. Amazon.com, Inc., 840 F.3d 1244, 1247 (11th Cir. 2016)
- Spears v. Thigpen, 846 F.2d 1327, 1328 (11th Cir. 1988)
- Wahl v. McIver, 773 F.2d 1169, 1173 (11th Cir. 1985)
- Owens v. Centurion Medical, 778 F. App'x 754, 759 (11th Cir. 2019)
- Adler v. Duval County School Board, 112 F.3d 1475, 1477 (11th Cir. 1997)
- Smith v. Allen, 502 F.3d 1255, 1267 (11th Cir. 2007)
- McKinnon v. Talladega County, Alabama, 745 F.2d 1360, 1363 (11th Cir. 1984)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF ALABAMA
NORTHERN DIVISION
FREDERICK ANTONIO FORD,) AIS 241963,)) Plaintiff,)) v.)
CASE NO. 2:23-CV-486-MHT-SMD) ANTHONY PARKER, et al.,)) Defendants.)
RECOMMENDATION OF THE MAGISTRATE JUDGE
On August 7, 2023, while incarcerated at Elmore Correctional Facility, Plaintiff filed this action under 42 U.S.C. § 1983 alleging that Anthony Parker and Travis Yelder, correctional officers at Kilby Correctional Facility, used excessive force against him in violation of his Eighth Amendment rights.

Doc. 1 at 2–6. Plaintiff was then transferred to Staton Correctional Facility in October 2023 (Doc. 6), Bullock Correctional Facility in November 2023 (Doc. 11), and Limestone Correctional Facility in March 2024 (Doc. 22). Sixteen months after arriving at Limestone and almost two years after leaving Kilby, Plaintiff filed a motion for a preliminary injunction asking the Court to

enjoin Defendants and “their successors in office, agents and employees, and all other persons acting in concert” from threatening him, refusing to give him mail, and segregating him solely for filing lawsuits.

Doc. 53 at 1. He also asked for a transfer to a safer facility where Defendants do not have “influence and affiliations” with ADOC officials *Id.* Two months after filing his motion, Plaintiff was transferred back to Elmore Correctional Facility. See Doc. 55.

As directed, Defendants filed a response to Plaintiff’s motion. Doc. 60. Upon consideration of Plaintiff’s motion, Defendants’ response, and the applicable legal principles, the undersigned RECOMMENDS that Plaintiff’s Motion for Preliminary Injunction (Doc. 53) be DENIED.

I. STANDARD OF REVIEW AND REQUIRED ELEMENTS “The grant or denial of a preliminary injunction is within the sound discretion of the district court.” *Palmer v. Braun*, 287 F.3d 1325 (11th Cir. 2002). A court may grant a preliminary injunction only if a plaintiff demonstrates the following elements: (1) a substantial likelihood of success on the merits; (2) an irreparable injury will occur absent issuance of the injunction; (3) the injunction would not substantially harm the non-moving parties; and (4) the injunction, if issued, would not be adverse to the public interest.

Long v. Sec’y, Dep’t of Corr., 924 F.3d 1171, 1176 (11th Cir. 2019). “A preliminary injunction is an extraordinary and drastic remedy, and [Plaintiff] bears the burden of persuasion to clearly establish all four of these prerequisites.” *Wreal, LLC v. Amazon.com, Inc.*, 840 F.3d 1244, 1247 (11th Cir. 2016) (internal quotations and citation omitted). II. DISCUSSION In a § 1983 action filed by a prisoner, a request for injunctive and declaratory relief becomes moot upon the transfer or release of that prisoner from the facility where his cause of action arose.

Spears v. Thigpen, 846 F.2d 1327, 1328 (11th Cir. 1988) (quoting *Wahl v. McIver*, 773 F.2d 1169, 1173 (11th Cir. 1985) (explaining that Eleventh Circuit has clearly stated that, “[a]bsent class certification, an inmate’s claim for injunctive and declaratory relief in a section 1983 action fails to present a case or controversy once the inmate has been transferred”)); *Owens v. Centurion Med.*, 778 F. App’x 754, 759 (11th Cir.

2019) (inmate’s transfer to different facility since filing § 1983 complaint rendered moot his deliberate indifference claims seeking only injunctive relief). Moreover, “[e]quitable relief is a prospective remedy, intended to prevent future injuries.” *Adler v. Duval Cnty. Sch. Bd.*, 112 F.3d 1475, 1477 (11th Cir. 1997).

For that reason, “[w]hen the threat of future harm dissipates, the plaintiff’s claims for equitable relief become moot because the plaintiff no longer needs protection from future injury.” *Id.*; see also *Smith v. Allen*, 502 F.3d 1255, 1267 (11th Cir. 2007) (noting general rule in our circuit that

transfer or release of prisoner moots prisoner's claims for injunctive and declaratory relief); *McKinnon v. Talladega Cnty., Ala.*, 745 F.2d 1360, 1363 (11th Cir.

1984) (finding inmate's transfer to different jail moots claim for declaratory and injunctive relief). At the time Plaintiff filed his motion for injunctive relief, he had been transferred four times and was no longer incarcerated at the facility where the claims in this action arose.

Although his motion makes the conclusory allegation that Defendants have "influence" and "affiliations" with other officials who work for the Alabama Department of Corrections (Doc. 53 at 2), his motion fails to identify a single Limestone employee allegedly affiliated with or influenced by Defendants. Plaintiff makes broad claims that he was threatened, did not receive his mail, and was segregated in retaliation for filing this action, but he fails to cite specific incidents or allege any facts connecting Defendants to conduct by a Limestone official.

And even if he had, two months after filing his motion requesting injunctive relief, Plaintiff was transferred from Limestone back to Elmore Correctional Facility. Thus, any future threat by Limestone officials dissipated with his transfer, and Plaintiff cannot show he will suffer irreparable injury if the Court fails to grant him the preliminary injunctive relief he requests.

III. CONCLUSION Accordingly, the undersigned RECOMMENDS that Plaintiff's Motion for Preliminary Injunction (Doc. 53) be DENIED as moot and that this case be referred back to the undersigned for additional proceedings. Further, it is ORDERED that by February 10, 2026, the parties may file objections to this Recommendation.

The parties must specifically identify the factual findings and legal conclusions in the Recommendation to which objection is made. Frivolous, conclusive, or general objections will not be considered by the Court. The parties are advised that this Recommendation is not a final order and is, therefore, not appealable. Failure to file written objections to the Magistrate Judge's findings and recommendations in accordance with 28 U.S.C. § 636(b)(1) will bar a party from a de novo determination by the District Court of legal and factual issues covered in the Recommendation and waive the right of the party to challenge on appeal the District Court's order based on unobjected-to factual and legal conclusions accepted or adopted by the District Court except on grounds of plain error or manifest injustice.

11th CIR. R. 3-1. DONE this 27th day of January, 2026. /s/ Stephen M. Doyle STEPHEN M. DOYLE CHIEF UNITED STATES MAGISTRATE JUDGE