

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

PATRICK R. SMITH, et al.)	
)	
Plaintiffs,)	
)	
v.)	No. 2:20-cv-00630-JMS-DLP
)	
WILLIAM P. BARR, et al.)	
)	
Defendants.)	

Order Dismissing Action as Moot

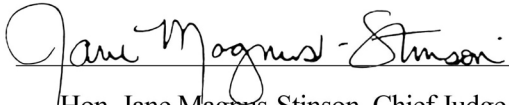
The plaintiffs, two inmates at the Federal Correctional Center (FCC) in Terre Haute, Indiana filed this action alleging that the defendants were deliberately indifferent to their health and safety by carrying out executions at the FCC during the COVID-19 pandemic. They sought only injunctive relief.

On February 22, 2021, the defendants moved to dismiss this action as moot, arguing that there is no live controversy because there are no further executions currently scheduled and there is no reasonable expectation that another federal execution will be scheduled in the near future. Dkt. 80 at 3–5. The plaintiffs do not oppose the motion to dismiss.

Accordingly, the defendant's motion to dismiss, dkt. [79], is **granted**. This action is **dismissed** for lack of jurisdiction. The plaintiffs' pending motion for an order requiring the defendants to show cause, dkt. [61], is **denied** as moot. Final judgment shall now enter.

IT IS SO ORDERED.

Date: 3/16/2021


Hon. Jane Magnus-Stinson, Chief Judge
United States District Court
Southern District of Indiana

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