

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

**UNITED STATES OF AMERICA**

**v.**

**ERIC MURDOCK,**

**DEFENDANT**

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**No. 2:11-CR-08-DBH**

**ORDER ON MOTION TO ENJOIN AND TO RECONSIDER  
JUDGMENT OF CONVICTION**

The defendant's February 16, 2012, Motion to Enjoin and to Reconsider Judgment of Conviction and Sentence is **DENIED** for lack of jurisdiction and mootness.

The defendant's notice of appeal was filed January 30, 2012, by the Clerk of Court as the defendant requested at sentencing. As a result, jurisdiction over the defendant's various challenges to his trial, his lawyer's performance, and his sentence no longer lies with this court, but with the court of appeals. According to the docket of the appeal, the court of appeals has appointed a lawyer to represent him there.

The injunctive relief the defendant seeks has to do with his assignment by the Bureau of Prisons after his sentencing, which resulted in his being moved from the Strafford County Jail where he had been housed during trial and sentencing to a BOP facility. He requests an injunction "to immediately return to this defendant all his legal materials taken from him" and "that he be

provided adequate law library time and resources to draft his motions and appeals.” Mot. to Enjoin and Reconsider Judgment of Conviction and Sentence at 1 (Docket Item 115). As for his legal materials, the government has responded that upon his transfer into BOP custody, his legal materials were sent via Fed-Ex to a private individual whom he named at the address he gave. Gov’t’s Response to Def.’s Mot. to Enjoin and Reconsider Judgment of Conviction and Sentence at 2 (Docket Item 124). Thus, the government does not have the materials to return, and the defendant has not replied to the government’s assertion that this is so. The government has also responded that the defendant is now incarcerated at Allenwood Federal Correction Complex in Pennsylvania and that there he has full access to the law library since his arrival on February 16, 2012. Id. at 3. The defendant has not replied to that assertion. As a result, the request for injunctive relief appears to be moot.

**SO ORDERED.**

**DATED THIS 5<sup>TH</sup> DAY OF APRIL, 2012**

/s/D. Brock Hornby  
**D. BROCK HORNBY**  
**UNITED STATES DISTRICT JUDGE**

**U.S. DISTRICT COURT  
DISTRICT OF MAINE (PORTLAND)  
CRIMINAL DOCKET No. 2:11CR08 (DBH)**

**United States of America**

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v.

**Eric Murdock,  
Defendant**

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