

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

RAMON L. SMITH,)	
)	
Plaintiff,)	Case No. CV06-372-S-MHW
)	
vs.)	ORDER
)	
TOM BEAUCLAIR, et al.,)	
)	
Defendants.)	
_____)	

Pending before the Court is the review of Plaintiff's Prisoner Civil Rights Complaint. The Court was recently notified that Plaintiff died. Therefore, the Complaint is subject to dismissal because Plaintiff's civil rights claims abate upon his death. *Evans v. Twin Falls County*, 118 Idaho 210, 796 P.2d 87 (1990).

ORDER

NOW THEREFORE IT IS HEREBY ORDERED that Plaintiff's Prisoner Civil Rights Complaint is dismissed. All pending motions are deemed moot.



DATED: October 2, 2006

Honorable Mikel H. Williams
United States Magistrate Judge