

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
AT PADUCAH
CIVIL ACTION NO. 5:10CV-P59-R**

JORDAN RODACK *et al.*

PLAINTIFFS

v.

**GENO AURIEMMA
d/b/a CONNECTICUT HUSKIES
HEAD BASKETBALL COACH *et al.***

DEFENDANTS

MEMORANDUM OPINION

Plaintiffs Jordan Rodack, Jonathan Lee Riches, and Mireya Throop are three convicted federal prisoners incarcerated at the Lexington Federal Medical Center. They initiated this action by filing a request for preliminary injunction and temporary restraining order. As Defendants, they name Geno Auriemma d/b/a Connecticut Huskies Head Basketball Coach, Maya Moore, Tina Charles, Sue Bird, Rebecca Lobo, Caroline Doty, Diana Taurasi, Kalana Greene, and Richard “Rip” Hamilton. Plaintiffs move the Court to issue a preliminary injunction against Defendants claiming, “Connecticut Huskies women basketball offends us and it’s unconstitutional. The Defendants are not allowing the Plaintiffs to participate in any of their Athletic programming.”

“[A] district court may, at any time, *sua sponte* dismiss a complaint for lack of subject matter jurisdiction pursuant to Rule 12(b)(1) of the Federal Rules of Civil Procedure when the allegations of a complaint are totally implausible, attenuated, unsubstantial, frivolous, devoid of merit, or no longer open to discussion.” *Apple v. Glenn*, 183 F.3d 477, 479 (6th Cir. 1999).

Finding this action to be patently frivolous, devoid of merit, and no longer open to discussion, this Court will dismiss it by separate Order. The Court warns that should Plaintiffs continue to file frivolous lawsuits in this Court, sanctions will be imposed.

Date:

cc: Plaintiffs, *pro se*
4413.005