

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

JOHN W. TISDALE, JR., <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	CASE NO. 2:16-CV-387-WKW
)	(WO)
THE CITY OF ANDALUSIA,)	
ALABAMA,)	
)	
Defendant.)	

ORDER

Before the court is Plaintiff John W. Tisdale, Jr.’s motion to request inclusion of real property in this case. (Doc. # 39.) In the motion, Tisdale seeks (1) an order expanding the May 27, 2016 Temporary Restraining Order (Doc. # 8) to prohibit Defendant from destroying certain real property; or, alternatively, (2) a new temporary restraining order prohibiting Defendant from destroying the property.

To the extent that Tisdale seeks an amendment of the May 27, 2016 Temporary Restraining Order (Doc. # 8), the motion is futile because the May 27, 2016 Temporary Restraining Order expired on August 26, 2016. (Doc. # 23.) *See* Fed. R. Civ. P. 65(b)(2) (“The [TRO] expires at the time after entry – not to exceed 14 days – that the court sets, unless before that time the court, for good cause, extends it for a like period or the adverse party consents to a longer extension.”).

To the extent that the motion seeks a new temporary restraining order, the motion is due to be denied because the motion does not meet the requirements of Fed. R. Civ. P. 65(b)(1).

Accordingly, it is ORDERED that Plaintiff John W. Tisdale, Jr.'s motion to request inclusion of real property in this case (Doc. # 39) is DENIED.

DONE this 29th day of September, 2016.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE