

1 balance of the equities tips in his favor, and that an injunction is in the public interest.” Winter v.
2 Natural Resources Defense Council, Inc., 555 U.S. 7, 20 (2008) (citations omitted). “A
3 preliminary injunction is an extraordinary remedy never awarded as of right.” Id. at 24 (citation
4 omitted). It may be awarded only upon a clear showing that the movant is entitled to relief. Id.
5 A stronger showing of one element may offset a weaker showing of another. Alliance for the
6 Wild Rockies v. Cottrell, 632 F.3d 1127, 1131-35 (9th Cir. 2011) (the sliding scale approach to
7 balancing the elements for a preliminary injunction survives Winters). However, while the
8 elements may be balanced, all four factors must be present in order to warrant injunctive relief.
9 Id. at 1052-53.

10 Plaintiff has named several individual defendants in his civil rights complaint; however,
11 none of those defendants are the persons he seeks to enjoin here. *Compare* (Doc. 9) *with* (Doc.
12 19). Additionally, the U.S. Marshals have not yet served any defendants in this matter. As a
13 result, the Court lacks personal jurisdiction over the named defendants and the additional persons
14 set forth in Plaintiff’s Petition for Injunction. “A federal court may [only] issue an injunction if it
15 has personal jurisdiction over the parties and subject matter jurisdiction over the claim; *it may not*
16 *attempt to determine the rights of persons not before the court.*” Zepeda v. United States
17 Immigration Service, 753 F.3d 719, 727 (9th Cir. 1985) (emphasis added).

18 Furthermore, Plaintiff has made no showing of irreparable injury, rather he speculates that
19 he will sustain prejudice in the future. Thus, Plaintiff’s request for a preliminary injunction is
20 **DENIED.**

21 **ORDER**

22 Accordingly, the Court **ORDERS** that Plaintiff’s preliminary injunction (Doc. 19) is
23 **DENIED.**

24 IT IS SO ORDERED.

25 Dated: August 19, 2013

26 /s/ Jennifer L. Thurston
27 UNITED STATES MAGISTRATE JUDGE
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