

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

NATHAN SESSING,  
Plaintiff,  
v.  
JEFFREY BEARD, et al.,  
Defendants.

Case No. 1:13-cv-01684-LJO-MJS (PC)  
**ORDER DENYING MOTION FOR  
TEMPORARY RESTRAINING ORDER  
(ECF NO. 144)**

Plaintiff is a state prisoner proceeding pro se and in forma pauperis in this civil rights action brought pursuant to 42 U.S.C. § 1983. On January 9, 2017, the undersigned dismissed the action on mootness grounds, and the case was closed. (ECF No. 116.) On December 28, 2017, the Ninth Circuit affirmed. (ECF No. 143.)

Before the Court is Plaintiff's January 8, 2018 motion for a temporary restraining order. (ECF No. 144.) As stated, the action is closed. The Court cannot grant Plaintiff his requested relief. Winter v. Natural Res. Def. Council, 555 U.S. 7, 22 (2008) (a plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits). Accordingly, his motion is HEREBY DENIED.

IT IS SO ORDERED.

Dated: April 17, 2018

/s/ Lawrence J. O'Neill  
UNITED STATES CHIEF DISTRICT JUDGE