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7 **UNITED STATES DISTRICT COURT**

8 **EASTERN DISTRICT OF CALIFORNIA**

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10 ARCHIE CRANFORD, Case No. 1:14-cv-00136 DLB PC

11 Plaintiff, ORDER DENYING MOTION FOR
12 v. TEMPORARY RESTRAINING ORDER
13 KIM WYATT, [ECF No. 8]

14 Defendant.

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16 Plaintiff Archie Cranford, a civil detainee proceeding pro se and in forma pauperis, filed
17 this civil rights action pursuant to 42 U.S.C. § 1983 on January 31, 2014.¹ On March 17, 2014,
18 Plaintiff filed a motion seeking a temporary restraining order prohibiting Defendant Wyatt from
19 coming within 50,000 feet of him and mandating that Plaintiff remain in his current housing
20 location.

21 The analysis for a temporary restraining order is substantially identical to that for a
22 preliminary injunction, Stuhlbarg Intern. Sales Co., Inc. v. John D. Brush and Co., Inc., 240 F.3d
23 832, 839 n.7 (9th Cir. 2001), and “[a] preliminary injunction is an extraordinary remedy never
24 awarded as of right.” Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 24, 129
25 S.Ct. 365, 376 (2008) (citation omitted). “A plaintiff seeking a preliminary injunction must
26 establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the
27 absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is

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¹ Plaintiff consented to the jurisdiction of the Magistrate Judge on February 7, 2014.

1 in the public interest.” Id. at 20 (citations omitted). An injunction may only be awarded upon a
2 *clear showing* that the plaintiff is entitled to relief. Id. at 22 (citation omitted) (emphasis added).

3 In this case, Plaintiff has not demonstrated likelihood of success on the merits, likelihood
4 of irreparable harm, a balance of equities in his favor, or that an injunction is in the public interest.

5 Accordingly, Plaintiff’s motion for a temporary restraining order, filed on March 17, 2014,
6 is HEREBY DENIED. Fed. R. Civ. P. 65; Local Rule 231; Winter, 555 U.S. at 24.

7 IT IS SO ORDERED.
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9 Dated: January 21, 2015

10 /s/ Dennis L. Beck
11 UNITED STATES MAGISTRATE JUDGE
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