




1 That Application states that Plaintiffs' "property, papers and [e]ffects" will be taken and  
2 destroyed on April 8, 2015 by agents and officers of Tehama County, and that Plaintiff  
3 will suffer irreparable harm causing "great financial loss" if an injunction does not issue.  
4 Plaintiff does not otherwise detail any purported damage she will suffer.

5 Although styled as a preliminary injunction request, which ordinarily must be  
6 made by way of a regularly noticed motion, because the harm complained of by Plaintiff  
7 may begin tomorrow the Court will construe her request as a temporary restraining order  
8 potentially entitling Plaintiff to the emergency relief she requests.

9 As a request for a temporary restraining order, however, Plaintiff's request is  
10 procedurally defective and must be denied on that basis alone.<sup>1</sup> Any application for a  
11 temporary restraining order must be made in accordance with Eastern District Local Rule  
12 231. Contrary to the provisions of Rule 231(c)(5), Plaintiff has failed to submit an  
13 affidavit detailing efforts to provide notice to Defendants, or alternatively, the reasons  
14 why such notice should not be required. Plaintiff has also not submitted a brief on all  
15 relevant legal issues presented by her motion, or an affidavit in support of the existence  
16 of an irreparable injury as set forth in subdivisions (c)(3) and (c)(4), respectively.  
17 Consequently, Plaintiff's Application for Preliminary Injunction Relief (ECF No. 3) is  
18 DENIED, without prejudice to Plaintiff's right to renew said Application in accordance  
19 with the provisions of Rule 231(c).

20 IT IS SO ORDERED.

21 Dated: April 7, 2015

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23 MORRISON C. ENGLAND, JR., CHIEF JUDGE  
24 UNITED STATES DISTRICT COURT

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26 <sup>1</sup> Even if the Court disregarded the procedural defects of Plaintiff's Application, on a substantive  
27 basis it appears that Plaintiff has identified only "great financial loss" as her basis for claiming irreparable  
28 injury. Monetary damage alone, however, does not constitute irreparable harm. Los Angeles Memorial  
Coliseum Comm'n v. NFL, 634 F.2d 1197, 1202 (9th Cir. 1980). Instead, the requisite irreparable harm  
required for immediate injunctive relief must be a "substantial injury that is not accurately measured or  
adequately compensable by money damages." Ross-Simons of Warwick, Inc. v. Baccarat, Inc., 102 F.3d  
12, 19 (1st Cir. 1996).