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5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA
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8 LAWRENCE LEE WILLIAMS,

No. C 12-3310 SI (pr)

9 Plaintiff,

ORDER

10 v.

11 MELINDA HAAG,
12 United States Attorney; et al.,

13 Defendants.
_____/

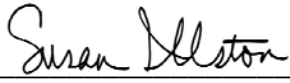
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15 Defendants filed an *ex parte* request for a 90-day extension of time to file a dispositive
16 motion. Upon due consideration of the request and the accompanying declaration of attorney
17 John Winchester, III, the court GRANTS the request. (Docket # 33.) The court now sets the
18 following new briefing schedule for dispositive motions: Defendants must file and serve their
19 dispositive motion no later than **May 17, 2013**. Plaintiff must file and serve on defense counsel
20 his opposition to the dispositive motion no later than **June 14, 2013**. Defendants must file and
21 serve their reply brief (if any) no later than **June 28, 2013**.

22 Plaintiff has requested a temporary restraining order and injunction for the return of his
23 wheelchair. (Docket # 30.) Plaintiff is not entitled to a TRO or a preliminary injunction because
24 he has completely failed to show a likelihood of success on the merits or that he is likely to
25 suffer irreparable harm in the absence of preliminary relief. *See Winter v. Natural Resources*
26 *Defense Council, Inc.*, 555 U.S. 7, 20 (2008) (“A plaintiff seeking a preliminary injunction must
27 establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in
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1 the absence of preliminary relief, that the balance of equities tips in his favor, and that an
2 injunction is in the public interest”); *Los Angeles Unified Sch. Dist. v. United States Dist. Court*,
3 650 F.2d 1004, 1008 (9th Cir. 1981) (Ferguson, J., dissenting) (standard for issuing a TRO is
4 similar to that required for a preliminary injunction). The motion is DENIED. (Docket # 30.)

5 IT IS SO ORDERED.

6 Dated: February 11, 2013



SUSAN ILLSTON
United States District Judge

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