

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No. 15-cv-02818-GPG

RUSELBUSISINE QUAERY,

Plaintiff,

v.

COLLEGIATE HOUSING SERVICE,

Defendant.

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**ORDER**

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Plaintiff Ruselbusisine Quaery has submitted a "Motion for Stay of Eviction," ECF No. 6 and an Addendum to the Motion for a Stay of Eviction, ECF No. 7. A party seeking a preliminary injunction must show a substantial likelihood of prevailing on the merits, that he will suffer irreparable injury unless the injunction issues, that the threatened injury outweighs whatever damage the proposed injunction may cause the opposing party, and that the injunction, if issued, would not be adverse to the public interest. *See Lundgrin v. Claytor*, 619 F.2d 61, 63 (10th Cir. 1980). Similarly, a party seeking a temporary restraining order must demonstrate clearly, with specific factual allegations, that immediate and irreparable injury will result unless a temporary restraining order is issued. *See Fed. R. Civ. P. 65(b)*.

On January 4, 2016, Magistrate Judge Gordon P. Gallagher directed Plaintiff to file an amended complaint in this action that complies with Fed. R. Civ. P. 8 and assert proper

jurisdiction for the basis of his claims. Therefore, for the reasons stated in the Court's Order Directing Plaintiff to File Amended Complaint, ECF No. 5, Plaintiff's Motion for a Stay of Eviction, ECF No. 6, and the Addendum to the Motion, ECF No. 7, or any request for injunctive relief, will be denied. Accordingly, it is

ORDERED that Plaintiff's Motion for a Stay of Eviction, ECF No. 6, and the Addendum, ECF No. 7, are DENIED.

DATED at Denver, Colorado, this 8<sup>th</sup> day of January, 2016.

BY THE COURT:

s/Lewis T. Babcock  
LEWIS T. BABCOCK, Senior Judge  
United States District Court