

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

DANIEL R. COUSINS,	:	
	:	
Plaintiff,	:	
	:	
v.	:	Civ. No. 16-302-LPS
	:	
REBBECA DUTTON-MCCORMICK,	:	
et al.,	:	
	:	
Defendants.	:	

MEMORANDUM ORDER

At Wilmington this ^{28th} day of November, 2016, having considered Plaintiff's motion for injunctive relief (D.I. 9),

IT IS HEREBY ORDERED that the motion (D.I. 9) is DENIED, for the reasons that follows:

Pending before the Court is Plaintiff's motion for injunctive relief (D.I. 9), Warden David Pierce's opposition thereto (D.I. 11), and Plaintiff's reply (D.I. 12). The Court construed Plaintiff's motion for injunctive relief as claiming retaliatory conduct in denying him access to legal research. Warden Pierce's response indicates that Plaintiff is given adequate access to the prison law library. Plaintiff's reply indicates that he was not seeking law library access. (D.I. 12) Instead he seeks the release of 2010 transcripts and a copy of a polygraph report.

"A preliminary injunction is an extraordinary remedy that should be granted only if: (1) the plaintiff is likely to succeed on the merits; (2) denial will result in irreparable harm to the plaintiff; (3) granting the injunction will not result in irreparable harm to the defendant; and (4) granting the injunction is in the public interest." *NutraSweet Co. v. Vit-Mar Enters., Inc.*, 176 F.3d 151, 153 (3d Cir. 1999). Because of the intractable problems of prison administration, a request for

injunctive relief in the prison context must be viewed with considerable caution. *Abraham v. Danberg*, 322 F. App'x 169, 170 (3d Cir. Apr. 24, 2009) (citing *Goff v. Harper*, 60 F.3d 518, 520 (8th Cir. 1995)).

Injunctive relief is not warranted. In addition, given that the request is more appropriate as one seeking discovery pursuant to the Federal Rules of Civil Procedure, it is premature. To date, defendants have not answered or otherwise appeared, and the Court has not yet entered a scheduling and discovery order.


UNITED STATES DISTRICT JUDGE