

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

RACHEL PINKSTON,

Plaintiff,

v.

Case No. 8:15-cv-1724-T-33TBM

UNIVERSITY OF SOUTH FLORIDA
BOARD OF TRUSTEES, ET AL.,

Defendants.

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ORDER

This cause comes before the Court upon pro se Plaintiff Rachel Pinkston's Motion for Temporary Injunction, filed on April 22, 2016. (Doc. # 160). In the Motion for Temporary Injunction, Pinkston moves the Court to enter a temporary restraining order and injunctive relief so as to compel the Defendants to deliver and reinstate her Bachelor's degree.

The Motion is substantially the same as the Motion for Temporary Injunction that Pinkston filed with the Court on February 4, 2016. See (Doc. # 62). As the Court previously determined, a temporary restraining order is inappropriate under the circumstances because Pinkston has not demonstrated an irreparable injury that is substantially likely to occur. See (Doc. # 68).

In her Motion, Pinkston states that she "will continue to suffer debilitating career injury and personal hardship . . . unless an Injunction is issued as soon as possible." (Doc. # 160 at 6). However, as in her original motion, Pinkston fails to carry her heavy burden of persuasion as to her alleged injuries. For example, Pinkston does not argue that she has an offer of employment contingent upon her having or obtaining a college degree that will immediately expire, nor does she provide the deadlines for her applications to professional school or Officer Candidate School. As the Court advised in its prior Order, "[w]ithout such information the Court is unable to determine whether irreparable injury is substantially likely to occur." (Doc. # 68 at 3).

Thus, the Court denies the Motion for Temporary Injunction (Doc. # 160) to the extent it seeks a temporary restraining order. To the extent that the Motion can be construed as a motion for preliminary injunction, the Court refers the Motion to the Honorable Thomas B. McCoun III, United States Magistrate Judge, for a report and recommendation.

Accordingly, it is

ORDERED, ADJUDGED, and DECREED:

- (1) Rachel Pinkston's Motion for Temporary Injunction (Doc. # 160) is **DENIED** to the extent it seeks the entry of a temporary restraining order.
- (2) Rachel Pinkston's Motion for Temporary Injunction (Doc. # 160), to the extent it may be construed as a motion for preliminary injunction, is referred to Judge McCoun for a Report and Recommendation.

DONE and **ORDERED** in Chambers in Tampa, Florida, this 25th day of April, 2016.

