

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 09-22754-CIV-SEITZ/WHITE

ANTHONY L. MOORE,

Plaintiff,

v.

WALTER A. McNEIL, *et al.*,

Defendants.

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**ORDER AFFIRMING AND ADOPTING REPORT OF MAGISTRATE JUDGE**

THIS MATTER is before the Court upon the Report on Motion for TRO or Preliminary Injunction issued by Magistrate Judge Patrick A. White [DE-398]. In the Report, Magistrate Judge White recommends that Plaintiff's Motion for a Preliminary Injunction or Temporary Restraining Order [DE-371] be denied because Plaintiff has not met the requirements of Federal Rule of Civil Procedure 65, has not made a showing of irreparable harm, and has not made a showing that there is a substantial likelihood that he will ultimately prevail on the merits at trial. Plaintiff has not filed any objections to the Report. The Court also notes that the temporary restraining order or preliminary injunction sought by Plaintiff is unrelated to the case before the Court. The case before the Court involves incidents that occurred at a different correctional facility than the one at issue in Plaintiff's instant motion and involves different Defendants than the people against whom Plaintiff seeks the restraining order or preliminary injunction. Thus, it appears that Plaintiff should have filed a new action against the people named in his motion.

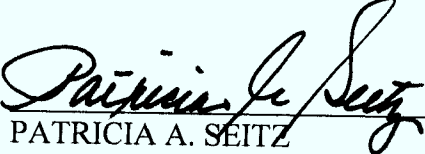
Having carefully reviewed, *de novo*, Magistrate Judge White's Report and the record, it is hereby

ORDERED that:

(1) The Report on Motion for TRO or Preliminary Injunction issued by Magistrate Judge Patrick A. White [DE-398] is AFFIRMED and ADOPTED.

(2) Plaintiff's Motion for Preliminary Injunction or Temporary Restraining Order [DE-371] is DENIED.

DONE and ORDERED in Miami, Florida, this 1st day of November, 2016.

  
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PATRICIA A. SEITZ  
UNITED STATES DISTRICT JUDGE

cc: Magistrate Judge White  
All counsel of record/*Pro se party*