

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF GEORGIA  
MACON DIVISION

MILTON ROSS,

Plaintiff

VS.

Officer MIKE HURSE and  
Officer WOODSON,

Defendants

NO. 5:07-CV-123(CAR)

**PROCEEDINGS UNDER 42 U.S.C. §1983  
BEFORE THE U. S. MAGISTRATE JUDGE**

**RECOMMENDATION ON MOTION FOR INJUNCTIVE RELIEF**

Plaintiff **MILTON ROSS** has filed a **MOTION FOR ISSUANCE OF TEMPORARY RESTRAINING ORDER/PRELIMINARY INJUNCTION**. Tab #8. Plaintiff requests that the Court order prison officials to refrain from retaliation and the use of excessive force; and order prison officials to protect him from other inmates.

Injunctive relief will not issue unless the complained of conduct is imminent and no other relief or compensation is available. *Cunningham v. Adams*, 808 F.2d 815, 821 (11<sup>th</sup> Cir. 1987). A temporary restraining order or a preliminary injunction is a drastic remedy used primarily for maintaining the status quo of the parties. *Cate v. Oldham*, 707 F.2d 1176, 1185 (11<sup>th</sup> Cir. 1983).

After a careful review of plaintiff's motions for injunctive relief in light of the requirements set forth in *Southern Monorail Co. v. Robbins & Myers*, 666 F.2d 185, 186 (11<sup>th</sup> Cir. 1982), it is the opinion of the undersigned that plaintiff has not met the prerequisites for the issuance of a temporary restraining order or preliminary injunction. Accordingly, **IT IS RECOMMENDED** that plaintiff's motion be **DENIED**.

Pursuant to 28 U.S.C. §636(b)(1), the plaintiff may file written objections to this RECOMMENDATION with the Clerk of court directed to the district judge assigned to this case, **WITHIN TEN (10) DAYS** after being served with a copy thereof.

SO RECOMMENDED, this 24<sup>th</sup> day of APRIL, 2007.



A handwritten signature in blue ink, reading "Claude W. Hicks, Jr." in a cursive script.

CLAUDE W. HICKS, JR.  
UNITED STATES MAGISTRATE JUDGE