

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

CHAD ASHLEY ALLEN,

Plaintiff,

v.

GREGORY DOZIER, et al.,

Defendants.

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CASE NO. 5:17-CV-207(MTT)

ORDER

United States Magistrate Judge Stephen Hyles recommends denying the Plaintiff's motion for a preliminary injunction (Doc. 3) because the Plaintiff has failed to satisfy the necessary prerequisites for the issuance of preliminary injunctions. Doc. 6.¹ The Plaintiff has objected and has recast his complaint. Docs. 11; 12. Pursuant to 28 U.S.C. § 636(b)(1), the Court has considered the Plaintiff's objection and made a de novo determination of the portions of the Recommendation to which he objects.

The Court has reviewed the Recommendation, and the Court accepts and adopts the findings, conclusions, and recommendations of the Magistrate Judge. As explained by Magistrate Judge Weigle, the Plaintiff has now amended his complaint to state claims sufficient to survive a preliminary review under the PLRA, including violation of his First Amendment rights. Doc. 14 at 9-10. But he has still failed to establish the necessary prerequisites to merit the "drastic and extraordinary remedy" of preliminary injunctive relief; in particular, the Plaintiff's amended complaint fails to carry the burden

¹ The case has since been reassigned to United States Magistrate Judge Charles H. Weigle. Doc. 13.

of persuasion that he has a “substantial likelihood of success on the merits.” See Doc. 6 at 5-6 (Magistrate Judge Hyles explaining that the Plaintiff has failed to show a “substantial likelihood of success on the merits” as required by Eleventh Circuit case law). Accordingly, the Recommendation (Doc. 6) is **ADOPTED** and made the order of this Court, and the Plaintiff’s motion (Doc. 3) is **DENIED**.

SO ORDERED, this 8th day of January, 2018.

S/ Marc T. Treadwell
MARC T. TREADWELL, JUDGE
UNITED STATES DISTRICT COURT