

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

CHRISTOPHER A. LYNCH,

Plaintiff,

v.

**SHARON LEWIS, M.D. and
BILLY NICHOLS, M.D.,**

Defendants.

Civil Action No. 7:14-CV-24 (HL)

ORDER

This case is before the Court on a Recommendation from United States Magistrate Judge Thomas Q. Langstaff. (Doc. 44). Judge Langstaff recommends denying Plaintiff's motions for injunctive and declaratory relief. (Docs. 5, 19). Judge Langstaff recommends granting Plaintiff's first Motion for Leave to Amend. (Doc. 18).

Plaintiff filed objections to the Recommendation. (Doc. 49). Plaintiff asserts that according to the Standards of Care for Gender Identity Disorder, Defendants are denying her adequate care and treatment. In order to qualify for injunctive relief, Plaintiff must demonstrate: (1) a substantial likelihood that she will prevail on the merits; (2) that she will suffer irreparable injury unless the injunction issues; (3) the threatened injury outweighs any damage the injunction may cause the opposing party; (4) issuance of the injunction would not be adverse to the

public interest. Zardui-Quintana v. Richard, 768 F.2d 1213, 1216 (11th Cir. 1985). “The preliminary injunction is an extraordinary and drastic remedy not to be granted unless the movant “clearly carries the burden of persuasion” as to the four prerequisites.” Id. (quoting United States v. Jefferson County, 720 F.2d 1511, 1519 (11th Cir. 1983)).

Plaintiff alleges that Defendants are not providing her with the level of care suggested by a proffered standard for treating Gender Identify Disorder. However, Plaintiff’s reliance on these standards and unsupported claim that she should be receiving different treatment fails to establish that she will suffer irreparable harm if the injunction does not issue or that other relief is not available. See Cunningham v. Adams, 808 F.2d 815, 821 (11th Cir. 1987). Plaintiff thus does not meet the requisite burden of persuasion.

Accordingly, after conducting a *de novo* review, the Court overrules Plaintiff’s objection. The Court accepts and adopts the Recommendation and denies Plaintiff’s motions for injunctive and declaratory relief. (Docs. 5, 19). The Court grants Plaintiff’s Motion for Leave to Amend (Doc. 18) as a matter of course pursuant to Federal Rule of Civil Procedure 15(a).

SO ORDERED, this 24th day of June, 2014.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE