

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

<b>CHARLES DONELSON,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>vs.</b>	)	<b>Case No. 3:14-CV-1311-SMY-RJD</b>
	)	
<b>MICHAEL ATCHISON, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	

**MEMORANDUM AND ORDER**

**YANDLE, District Judge:**

Before the Court is Plaintiff’s Motion for a Preliminary Injunction (Doc. 322). Plaintiff Charles Donelson is currently an inmate at Stateville Correctional Center. On November 25, 2014, Plaintiff commenced an action pursuant to 42 U.S.C. § 1983, alleging several constitutional violations which occurred while he was an inmate at Menard Correctional Center (Doc. 1). On January 29, 2015, the Court severed Plaintiff’s claims into separate actions (Doc 18).

On December 4, 2017, summary judgment was entered in favor of Defendants Kevin Cartwright and George Holton and the John Doe defendants were dismissed (Doc. 317). The remaining claim against Defendant Baker is set for trial on February 5, 2018:

**Count 4:** First Amendment claim against Defendant Baker, for refusing to remedy the unsanitary conditions in Plaintiff’s cell in June 2013 (contamination with feces and urine), in retaliation for Plaintiff’s grievances over his staff assaulter classification;

(Doc. 18).

Plaintiff now moves for a preliminary injunction, requiring Sgt. Pork, Lt. Brown, Warden Pfister, and staff at Stateville Correctional Center, to return his legal property and to grant him

access to the law library and a paralegal (Doc. 322). “The purpose of preliminary injunctive relief is to minimize the hardship to the parties pending the ultimate resolution of the lawsuit.” *Platinum Home Mortg. Corp. v. Platinum Fin. Group, Inc.*, 149 F.3d 722, 726 (7th Cir.1998). “In order to obtain a preliminary injunction, the moving party must show that: (1) they are reasonably likely to succeed on the merits; (2) no adequate remedy at law exists; (3) they will suffer irreparable harm which, absent injunctive relief, outweighs the irreparable harm the respondent will suffer if the injunction is granted; and (4) the injunction will not harm the public interest.” *Joelner v. Village of Washington Park, Illinois*, 378 F.3d 613, 619 (7th Cir. 2004).

“A court issues a preliminary injunction in a lawsuit to preserve the status quo and prevent irreparable harm until the court has an opportunity to rule on the lawsuit’s merits.” *Devose v. Herrington*, 42 F.3d 470, 471 (8th Cir. 1994). “Thus, a party moving for a preliminary injunction must necessarily establish a relationship between the injury claimed in the party’s motion and the conduct asserted in the complaint.” *Id.* “A preliminary injunction is appropriate only if it seeks relief of the same character sought in the underlying suit and deals with a matter presented in that underlying suit.” *Welch v. Tritt*, 2015 WL 6971312, at \*1 (E.D. Wis. Nov. 9, 2015) (citing *Kaimowitz v. Orlando, Fla.*, 122 F.3d 41, 43 (11th Cir.1997)). “[A] District Court does not have jurisdiction to award a preliminary injunction for an injury unrelated to any cause of action found in the complaint.” *Johnson v. City of Rock Island, Ill.*, 2012 WL 5425605, at \*2 (C.D. Ill. 2012) (citing *Stewart v. U.S. I.N.S.*, 762 F.2d 193, 198 (2d Cir. 1985)); *see also Lake v. Robert*, 2014 WL 3610405, at \*1 (S.D. Ill. 2014); *Jackson v. Welborn*, 2013 WL 1287369, at \*3 (S.D. Ill. 2013).

Here, Plaintiff has not demonstrated a relationship between the facts and allegations contained in his motion and those in the Complaint. The allegations in the instant motion

address access to the law library at Stateville Correctional Center, while the allegations of the Complaint address conditions and the treatment of Plaintiff at Menard Correctional Center. Moreover, the instant motion asserts allegations against individuals who are not parties to this case. For these reasons, Plaintiff's Motion for Injunctive Relief (Doc. 322) is **DENIED**.

**IT IS SO ORDERED.**

**DATED: January 5, 2018**

**s/ Staci M. Yandle**  
**STACI M. YANDLE**  
**United States District Judge**