

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

MICHELLE BARNES,

Plaintiff,

v.

HAMMOND HOUSING AUTHORITY
and HOUSING AND URBAN
DEVELOPMENT

Defendants.

CAUSE NO.: 2:19-CV-469-TLS-JEM

OPINION AND ORDER

This matter is before the Court sua sponte. Having reviewed the Plaintiff's pro se Complaint [ECF No. 1], the Court takes judicial notice that Plaintiff's requested relief asks the Court "to stop the termination of the Housing Choice Voucher (Section 8) effective 12/31/2019." This would require that the Court grant a temporary restraining order or preliminary injunction because the Defendants' Answer will not even be due before December 31, 2019, and there is no possibility that the Court could rule on the merits of the case before then. *See* Fed. R. Civ. P. 12(a)(1)(A). Therefore, given that pro se filings are to be construed liberally and to even allow for the possibility of granting the requested relief, the Court must interpret this requested relief as asking for either a preliminary injunction or a temporary restraining order.

However, Northern District of Indiana Local Rule 65-1 requires that a plaintiff file separate motions to seek a temporary restraining order and a preliminary injunction:

- (a) Preliminary Injunctions.** The court will consider requests for preliminary injunctions only if the moving party files a separate motion for relief.
- (b) Temporary Restraining Orders.** The court will consider requests for temporary restraining orders only if the moving party:

- (1)** files a separate motion for relief;

(2) files a supporting brief; and

(3) complies with Fed. R. Civ. P. 65(b).

N.D. Ind. L.R. 65-1. The Plaintiff has not filed any such separate motions. In addition, Federal Rule of Civil Procedure 65(b) sets forth requirements for temporary restraining orders that the Plaintiff has not followed.

Accordingly, the Court DENIES without prejudice the request in the Plaintiff's Complaint for a preliminary injunction. The Court GRANTS the Plaintiff leave to refile the request for a preliminary injunction or temporary restraining order in compliance with Northern District of Indiana Local Rule 65-1 and Federal Rule of Civil Procedure 65.

SO ORDERED on December 13, 2019.

s/ Theresa L. Springmann
CHIEF JUDGE THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT