

U.S. 1230 (1997). In order for an inmate to state a claim under § 1983 for medical mistreatment or denial of medical care, the prisoner must allege “acts or omissions sufficiently harmful to evidence deliberate indifference to serious medical needs.” *Estelle v. Gamble*, 429 U.S. 97, 106 (1976). It is well-settled that while incarcerated, an inmate is not entitled to the best possible care or to receive particular treatment of his choice. *See Forbes v. Edgar*, 112 F.3d 262, 267 (7th Cir. 1997).

There are various reasons why the issuance of a preliminary injunction such as sought by the plaintiff is not warranted. First, the perpetuation of medical care being provided to an inmate is hardly a subject wanting review or intervention by a federal court. Second, in seeking a particular form of treatment the plaintiff seeks that which the Eighth Amendment does not compel. Third, the relief sought by the plaintiff would not be consistent with the Supreme Court’s directions that “federal courts . . . afford appropriate deference and flexibility to state officials trying to manage a volatile environment[.]” *Sandin v. Conner*, 515 U.S. 472, 483 (1995). Fourth, a preliminary injunction involving conditions of confinement at a prison must be “narrowly drawn, extend[] no further than necessary to correct the violation of the Federal right, and is the least intrusive means necessary to correct the violation of the Federal right.” 18 U.S.C. § 3626(a)(1)(A). The motion for preliminary injunction seeks relief of such scope—for example, to extend to the plaintiff even if he transferred to another prison--that it is highly unlikely this statutory command could be satisfied.

III.

The motion for a preliminary injunction and for a temporary restraining order [45] is denied.

IT IS SO ORDERED.

Date: 07/25/2012

Distribution:

Jeffrey Allen Rowe
#116017
Pendleton Correctional Facility
4490 West Reformatory Road
Pendleton, IN 46064


SARAH EVANS BARKER, JUDGE
United States District Court
Southern District of Indiana

All Electronically Registered Counsel