

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

PATRICK C. PARKER (#A-78499)

CIVIL ACTION

VERSUS

BOBBY WEBBER, ET AL.

NO. 11-0082-JJB-CN

RULING ON MOTION

This matter comes before the Court on the plaintiff's Request for Injunctive Relief, rec.doc.no. 35.

The pro se plaintiff, an inmate confined at the Ascension Parish Jail, Donaldsonville, Louisiana, brought this action pursuant to 42 U.S.C. § 1983 against Warden Bobby Webber, Correctional Officer Timothy Maxwell, Sheriff Jeffery Wiley, Nurse Michelle Gaudin, Nurse Rhonda Shear and Dr. Holmes, complaining that the defendants have violated his constitutional rights by maintaining him in segregated confinement for more than two years, during which time he has had insufficient access to the law library and insufficient opportunity for recreation or telephone usage. In addition, the plaintiff complains, inter alia, that the defendants have subjected him to excessive force, have interfered with his incoming and outgoing mail, have denied him appropriate medical attention, and have denied him due process and the equal protection of the laws.

In the instant motion, the plaintiff now seeks an order enjoining the defendants from harassing him, from subjecting him to force through the use of "taizers and mace", and from disposing of his incoming and outgoing mail. On the record before the Court, it does not appear that the plaintiff is entitled to the relief requested. His allegations are

entirely conclusory, and he provides no factual basis for concluding that he faces irreparable harm if injunctive relief is not granted. Accordingly, on the record before the Court, the plaintiff has not made out a showing of entitlement to injunctive relief, and it appears that his claims may be addressed through this ordinary proceeding. Specifically, the plaintiff has failed to sufficiently establish any of the four elements warranting such relief: (1) a likelihood of irreparable injury, (2) an absence of harm to the defendants if the injunction is granted; (3) an interest consistent with the public good; and (4) a substantial likelihood of success on the merits. Canal Authority v. Callaway, 489 F.2d 567 (5th Cir. 1974). Therefore,

IT IS ORDERED that the plaintiff's Request for Injunctive Relief, rec.doc.no. 35, be and it is hereby **DENIED**.

Baton Rouge, Louisiana, this 5th day of December, 2011.



JAMES J. BRADY
UNITED STATES DISTRICT JUDGE