

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF LOUISIANA

ROBERT LATROY WHITE (#241145)

CIVIL ACTION

VERSUS

JOE LAMARTINIERE, ASS'T WARDEN, ET AL.

NO. 11-0215-JJB-CN

O R D E R

This matter comes before the Court on the plaintiff's Motion for Preliminary Injunction, rec.doc.no. 4.

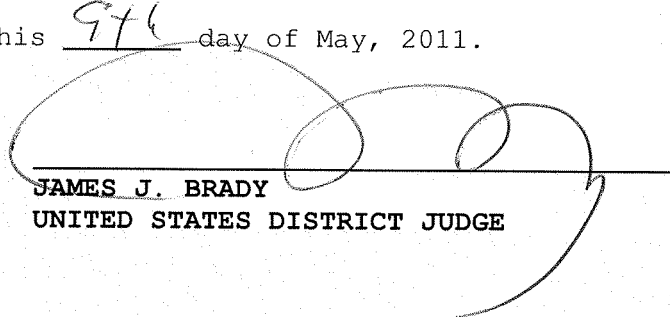
The pro se plaintiff, an inmate confined at the Louisiana State Penitentiary ("LSP"), Angola, Louisiana, brought this action pursuant to 42 U.S.C. § 1983 against Ass't Warden Joe LaMartiniere, Ass't Warden Troy Poret, Ass't Warden Barr, and Major W. Richardson, alleging that the defendants violation his constitutional rights by assigning him to work as a "tier walker" between January and August, 2010, and by thereafter interfering with his access to the Courts in retaliation for administrative grievances which he had filed against prison officials.

In the instant motion, the plaintiff now prays for injunctive relief, complaining that prison officials are violating state law by utilizing co-inmates as "tier walkers" and "nurse's aids", who walk the cellblock tier hallways and observe and report to prison officials whether any inmates are exhibiting signs of suicidal ideation. The plaintiff is not entitled to the relief requested. The law is clear that the mere violation of a state law or regulation does not amount to a constitutional violation, Woodard v. Andrus, 419 F.3d 348 (5<sup>th</sup> Cir. 2005), Jackson v. Cain, 864 F.2d 1235 (5<sup>TH</sup> Cir. 1989), and the plaintiff does not allege that he has suffered any harm or injury as a result of the actions

complained of. Accordingly, the plaintiff has failed to establish any of the four elements which might warrant injunctive relief in this case. See Canal Authority v. Callaway, 489 F.2d 567 (5<sup>th</sup> Cir. 1974). In other words, he has failed to make a showing of (1) irreparable injury, (2) an absence of harm to the defendant if injunctive relief is granted, (3) an interest consistent with the public good, and (4) a likelihood of success on the merits. Id. Therefore;

**IT IS ORDERED** that plaintiff's Motion for Preliminary Injunction, rec.doc.no. 4, be and it is hereby **DENIED**.

Baton Rouge, Louisiana, this 9<sup>th</sup> day of May, 2011.

  
\_\_\_\_\_  
**JAMES J. BRADY**  
**UNITED STATES DISTRICT JUDGE**