

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

GREGORY BAILEY (#9000005008)

CIVIL ACTION

VERSUS

E.B.R. PARISH PRISON, ET AL.

NO. 12-0224-JJB-DLD

ORDER

This matter comes before the Court on the plaintiff's Motion for Preliminary Injunction, rec.doc.no. 19.

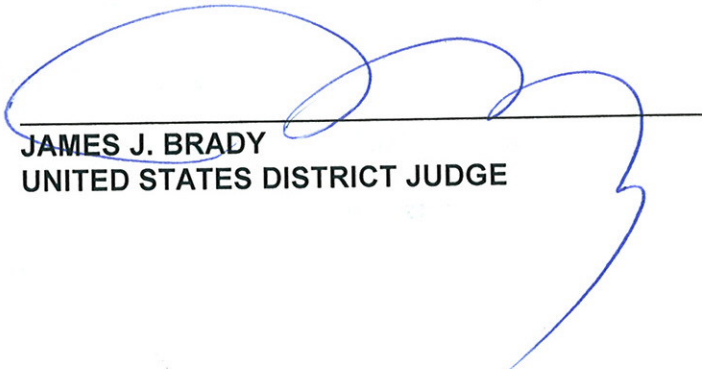
The pro se plaintiff, an inmate confined at the East Baton Rouge Parish Prison ("EBRPP"), Baton Rouge, Louisiana, filed this proceeding pursuant to 42 U.S.C. § 1983 against EBRPP, Warden Dennis Grimes, the Nineteenth Judicial District Court for the Parish of East Baton Rouge, Judge Tony Marabella and Dr. Vincent Leggio, complaining that the defendants have violated his constitutional rights through deliberate indifference to his serious medical needs, specifically through a failure to provide him with appropriate dental treatment. In the instant motion for injunctive relief, the plaintiff prays for an order compelling the defendants to take him immediately to an oral surgeon.

The plaintiff is not entitled to the relief requested. Specifically, the Court finds that the plaintiff's motion is lacking in factual detail and fails to include a sufficient allegation of actual or irreparable harm or injury as would support a finding that injunctive relief should be granted. Specifically, the Court is unable to evaluate the seriousness of the plaintiff's medical condition or the likelihood of any harm or injury which may result from the alleged failure to provide him with the medical care which he desires. It appears, therefore, that the plaintiff's claims are susceptible of being adequately addressed in this ordinary proceeding and that his request for injunctive relief should be denied. Specifically, the plaintiff has failed to establish, with any degree of certainty, any

of the four elements warranting such relief at the present time: (1) a likelihood of irreparable injury, (2) an absence of harm to the defendants if injunctive relief 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). Accordingly,

IT IS ORDERED that the plaintiff's Motion for Preliminary Injunction, rec.doc.no. 19, be and it is hereby **DENIED**.

Baton Rouge, Louisiana, this 22nd day of August, 2012.



JAMES J. BRADY
UNITED STATES DISTRICT JUDGE