

1 principles of comity set out” in § 3626(a)(1)(B). *Id.* A preliminary injunction is “an
2 extraordinary and drastic remedy, one that should not be granted unless the movant, by a clear
3 showing, carries the burden of persuasion.” *Mazurek v. Armstrong*, 520 U.S. 968, 972 (1997)
4 (quotation and emphasis omitted).

5 I deny Peck’s motions. I granted the defendants an extension of time to respond to
6 Peck’s motions for injunctive relief, so I deny his request that I grant his motions for injunctive
7 relief as unopposed. *See* ECF No. 79. Peck has not shown a likelihood of success on the merits
8 or that he is likely to suffer irreparable harm in the absence of injunctive relief. The diet has
9 been approved by a licensed dietician and there is no evidence that the diet poses a health risk.
10 ECF No. 84-4. Peck’s unsubstantiated lay opinion that the food he is being served is
11 “nutritionally inadequate and harmful” to health does not suffice to support injunctive relief.

12 IT IS THEREFORE ORDERED that plaintiff Frank Peck’s motions for restraining order
13 and preliminary injunction (**ECF Nos. 68, 69**) are **DENIED**.

14 IT IS FURTHER ORDERED that plaintiff Frank Peck’s motion for decision (**ECF No.**
15 **81**) is **DENIED**.

16 DATED this 25th day of June, 2019.

17
18 
19 _____
20 ANDREW P. GORDON
21 UNITED STATES DISTRICT JUDGE
22
23