

**NOT FOR PUBLICATION****UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

CHAMBERS OF  
**SUSAN D. WIGENTON**  
UNITED STATES DISTRICT JUDGE

MARTIN LUTHER KING COURTHOUSE  
50 WALNUT ST.  
NEWARK, NJ 07101  
973-645-5903

August 1, 2018

Mr. Joseph Aruanno, #363  
Special Treatment Unit  
P.O. Box 905  
Avenel, NJ 07001  
*Plaintiff*

Gurbir S. Grewal, Esq.  
Michael Vomacka, Esq.  
Victoria Ply, Esq.  
Office of the New Jersey Attorney General  
25 Market Street  
P.O. Box 112  
Trenton, NJ 08625  
*Attorneys for Defendants*

**LETTER OPINION FILED WITH THE CLERK OF THE COURT**

**Re: *Alves, et al. v. Ferguson, et al.***  
**Civil Action No. 01-789 (SDW)(MCA)**

Litigants:

Before this Court are Plaintiff Joseph Aruanno's Motion for Temporary Restraining Order and/or Preliminary Injunction and Motion for Appointment of a Special Master. This Court having considered the parties' submissions and having reached its decision without oral argument pursuant to Federal Rule of Civil Procedure 78, and for the reasons discussed below, denies Plaintiff's motions.

**DISCUSSION**

On August 16, 2017, Plaintiff filed motions for Restraining Order and/or Preliminary Injunction and for Appointment of a Special Master. (Dkt. No. 290.) On February 20, 2018, this Court denied Plaintiff's motions, noting that Plaintiff had failed to demonstrate a likelihood of success on the merits of his claim or irreparable harm if the relief he sought was denied. (Dkt. No.

301, 302.) This Court further held that Plaintiff had not identified any “exceptional condition” requiring the appointment of a special master in this case.

Plaintiff’s current motions are identical to those he filed on August 16, 2017. (Compare Dkt. No. 290 to 307.)<sup>1</sup> Therefore, for the reasons set forth in this Court’s February 20, 2018 Letter Opinion and Order, Plaintiff’s motions will be denied.

**CONCLUSION**

For the reasons set forth above, Plaintiff’s Motion for Temporary Restraining Order and/or Preliminary Injunction is **DENIED**. Plaintiff’s Motion for Appointment of a Special Master is also **DENIED**. Plaintiff is ordered to cease filing motions in Civil Action Number 01-789 and Civil Action Number 04-3066, both of which are closed cases.

An appropriate Order will follow.

/s/ Susan D. Wigenton  
**SUSAN D. WIGENTON, U.S.D.J.**

Orig: Clerk  
cc: Parties  
Steven C. Mannion, U.S.M.J.

---

<sup>1</sup> The only discernable difference in the motions involve slight changes to what appears to be a cover letter to the Court. (Compare Dkt No. 290-4 to 307-4.)