

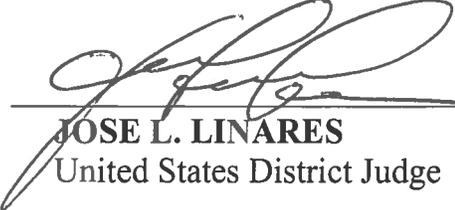


claim under Section 1983 that essentially seeks relief due to the conduct of private actors, no matter how wrongful the conduct. See Dophin v. Bank of America Mortgage Co., 641 Fed.Appx. 131 (3d Cir. 2016); St. Croix v. Etenad, 183 Fed.Appx. 230 (3d Cir. 2006).

**FURTHERMORE**, to the extent that the plaintiffs assert that the police department and the chief failed to investigate the circumstances of the repossession, they have no cause of action. They are private citizens with no federal right to compel an investigation, because initiating an investigation is a function of governmental discretion. See Linda R.S. v. Richard D., 410 U.S. 614, 619 (1973).

**THUS**, the Court is without subject matter jurisdiction here. The Court will (1) deny the motion for a temporary restraining order, and (2) dismiss the complaint without prejudice to the plaintiffs to seek relief in the appropriate state court. The Court notes that, in any event, there is no irreparable harm here that would mandate the entry of a temporary restraining order, as any potential damages can be redressed through a monetary award.

**THE COURT** will enter an appropriate order and judgment.

  
**JOSE L. LINARES**  
United States District Judge

**Dated:** September 26, 2016