

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

NOT FOR PUBLICATION

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ANTHONY PERRI,

Plaintiff,

MEMORANDUM AND ORDER

-against-

06-CV-403 (CBA)

JOHN DOE, Captain; SERGEANT BARRITEAU;
SUSAN SAVIANO; JOSEPH DITUCCI; and
THE CITY OF NEW YORK

Defendants.

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AMON, United States District Judge:

On October 15, 2010, *pro se* plaintiff Anthony Perri filed an “Emergency Motion for a Preliminary Injunction/Tempor[ar]y Restraining Order” in the above-captioned pending case. The motion seeks a series of injunctions against various New York City, New York State, and United States officials and agencies who are not named as defendants in the pending action.

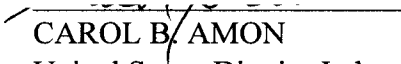
Plaintiff’s motion seeks to enjoin the named officials and agents “From setting me up in acts of Entrapment.” (Mot. ¶ 3; see also Mot. ¶¶ 7, 9.) Plaintiff asks the Court to “restrain said officials . . . from causing harm to me or my cat Picasso, weather [*sic*] in my residence or out in public.” (Mot. ¶ 4; see also Mot. ¶¶ 5-6.) He seeks to enjoin the officials from “using the residents above, below and on both sides of me . . . , or any other residents from these dwellings, from following me, threatening me, releasing smoke, gas or any other chemicals to attack, Harass, or cause bodily harm, brain damage, or death to me or my cat Picasso.” (Mot. ¶ 8.)

Plaintiff further requests the Court and various agencies to investigate a pending criminal case against him, the instant civil action, and administrative complaints he has filed. (Mot. ¶¶ 10, 12-18, 20.) Finally, he asks “For Federal Officials to Immediately relocate me and my cat

Picasso to a clean and Safe Residence/Environment.” (Mot. ¶ 21.)

Although he titles it as an “Emergency Motion” and seeks immediate injunctive relief, plaintiff has neither demonstrated a likelihood of success on the merits, nor made a showing of immediate or irreparable harm. See Green Party of New York State v. New York State Bd. Of Elections, 389 F.3d 411, 418 (2d Cir. 2004)(A party seeking a preliminary injunction must establish irreparable harm and either (a) a likelihood of success on the merits or (b) sufficiently serious questions going to the merits and a balance of hardships tipping decidedly in its favor.). Accordingly, the motion for a preliminary injunction and temporary restraining order is denied.

SO ORDERED.


CAROL B. AMON
United States District Judge

Dated: Brooklyn, New York
October 15, 2010