

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

MICHAEL ADAMS,

Plaintiff,

DECISION AND ORDER

18-CV-6277L

v.

ANTHONY J. ANNUCCI, Commissioner, et al.,

Defendants.


Plaintiff Michael Adams, an inmate in the custody of the New York State Department of Corrections and Community Supervision, has moved for a preliminary injunction and temporary restraining order.

The motion is denied. In order to obtain preliminary injunctive relief in this circuit, a movant must show: (1) irreparable harm in the absence of the relief sought; and (2) either a likelihood of success on the merits, or sufficiently serious questions going to the merits to make them a fair ground for litigation and a balance of hardships tipping decidedly in the movant's favor. *Donninger v. Niehoff*, 527 F.3d 41, 47 (2d Cir. 2008); *Sunward Elecs., Inc. v. McDonald*, 362 F.3d 17, 24 (2d Cir. 2004). Plaintiff has not carried that burden.

CONCLUSION

Plaintiff's motion for a preliminary injunction (Docket #3) is denied.

IT IS SO ORDERED.

A handwritten signature in black ink, reading "David G. Larimer". The signature is written in a cursive style with a large, sweeping initial "D".

DAVID G. LARIMER
United States District Judge

Dated: Rochester, New York
April 13, 2018.