

In pursuing a motion pursuant to Fed. R. Civ. P. 65, a plaintiff must establish: (1) a likelihood of success on the merits; (2) that plaintiff is likely to suffer irreparable harm without the issuance of a preliminary injunction; (3) that the balance of the equities are in plaintiff's favor; and (4) that the injunction is in the public interest. *West Virginia Association of Club Owners and Fraternal Services, Inc. v. Musgrave*, 553 F.3d 292, 298 (4th Cir. 2009) (citing *Winter v. Natural Resource Defense Council, Inc.*, 555 U.S. 7, 20 (2008)).

The Plaintiffs herein have failed to make such a showing in their Motion located in their Complaint. Accordingly, the Court will convert the Motion to one for a Preliminary Injunction. Plaintiffs are directed to file a brief in support of their Motion pursuant to Local Rule 7.1(C). Once the Defendants have been served and have had an opportunity to respond, the Court will either schedule a hearing on the motion or proceed to decide the matter.

IT IS THEREFORE ORDERED THAT Plaintiffs' Motion for Temporary Restraining Order is hereby converted into a Motion for Preliminary Injunction and Plaintiffs are directed to file a brief in support of their motion in accordance with Local Rule 7.1(C).

Signed: August 22, 2017



Graham C. Mullen
United States District Judge

