

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

AUDREY M. HORN and APRIL BROWN,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 3:09-1178
)	Judge Trauger
TENNESSEE DEPARTMENT)	
OF EDUCATION, et al.,)	
)	
Defendants.)	
)	

ORDER

Plaintiffs Audrey Horn and April Brown, proceeding *pro se*, filed their initial Complaint on December 11, 2009, primarily alleging that Ms. Brown’s rights had been violated by the defendants, who were involved in Ms. Brown’s education in the Nashville, Tennessee public schools several years ago. (Docket No. 1 Ex. 1 at 2.) Specifically, the plaintiffs allege that, in 2003, the defendants indicated that Ms. Brown had earned a high school diploma, which was being held on file with the relevant Board of Education. (Docket No. 1 at 6-7.) However, the defendants now claim that no such diploma exists, and Ms. Brown’s inability to produce a high school diploma has negatively affected her ability to receive further education. (*Id.*)

On January 25, 2010, the plaintiffs filed the pending “Motion: F/ Restraining Order and Stop of Action.” (Docket No. 8.) Magistrate Judge Knowles, in an August 27, 2010 Report and Recommendation (R&R), recommended denying this motion because the motion and supporting materials concerned “La Shonda Hawkins, who is identified as the granddaughter of Audrey Horn

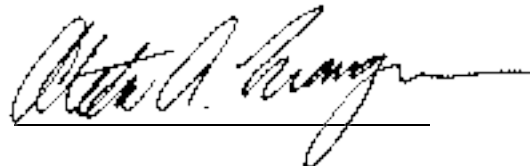
and the daughter of April Brown,” and who is not a party to this action. (Docket No. 10 at 3-5.) Judge Knowles also noted that the motion did not comply with the procedural requirements for seeking a restraining order under Federal Rule of Civil Procedure 65 and that the materials did not attempt to address the legal standard for issuing injunctive relief. (*Id.*)

While the plaintiffs’ response is docketed as an objection, the plaintiffs state that, as to the R&R, “[the court’s] point is well taken. La Shonda is not a plaintiff in this case. [The court’s] denial is well accepted.” (Docket No. 14 Ex. 1 at 1.) While the plaintiffs continue to supplement the record with materials related to Ms. Brown’s education and, through an Amended Complaint filed on September 9, 2010, added Conjuan Horn as a plaintiff (Docket No. 15), there appears to be no objection to Judge Knowles’s R&R, and, on this court’s review of the record, there reasonably could not be.

The decision recommended by Judge Knowles in the R&R stands. For the reasons stated therein and herein, it is hereby **ORDERED** that the plaintiffs’ “Motion: F/ Restraining Order and Stop of Action” (Docket No. 8) is **DENIED**. This case is referred back to the Magistrate Judge consistent with the referral Order.

It is so ordered.

Enter this 23rd day of September 2010.

A handwritten signature in black ink, appearing to read "Aleta A. Trauger", written over a horizontal line.

ALETA A. TRAUGER
United States District Judge