

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

PATRICK L. BUMPUS,)	
)	
Plaintiff,)	
)	
v.)	NO. 3:19-cv-01081
)	JUDGE RICHARDSON
ROBERT HOWARD, et al.,)	
)	
Defendants.)	

MEMORANDUM OPINION AND ORDER

Pending before the Court is Plaintiff’s “Motion for a Temporary Restraining Order [“TRO”] Pursuant to F.R.C.P. 65(a).” (Doc. No. 83, “Motion”).

The Motion contains almost verbatim allegations as Plaintiff’s previous motion requesting a temporary restraining order, (Doc. No. 75), which this Court denied. (Doc. No. 77). The Motion also includes the same attached exhibit as the previous motion. (Doc. No. 75 at 14; Doc. No. 83-1).

The present Motion is dated as being written on February 22, 2021 by Plaintiff, indicating that the present Motion was written prior to his previous motion, which Plaintiff dated as March 7, 2021. (Doc. Nos. 75, 83). It is therefore unclear whether Plaintiff intended the present Motion to be part of his previous motion or to be filed as a separate motion.¹ Regardless, the Court has

¹ Plaintiff states in his present Motion that the Court should also consider his “supporting affidavit . . . above” and “the memorandum of law submitted herewith.” (Doc. No. 83 at 2). There is no affidavit or memorandum of law in the record pertaining to the Motion. It is unclear if these references pertain to the Motion itself, additional documentation that Plaintiff did not file with his Motion, the exhibit he did file, or to the previous motion. The Court noted when ruling on the previous motion that the motion was confusingly labeled a “declaration in support,” also mentioned an affidavit, and contained legal analysis. (Doc. No. 77 at 1-2 n.1). The Court therefore believes that it can and should rule on the Motion as filed, despite these references that appear to indicate other documents the Court should consider.

already analyzed Plaintiff's request for a temporary restraining order on these same facts. Plaintiff has provided no additional information regarding the factors the Court looks at when assessing a TRO (he provides no legal analysis of the factors at all), and he has not provided any significant new information to the Court.

For the reasons discussed herein and in connection with denying the previous request for a TRO, (Doc. No. 77), the Court **DENIES** the Motion (Doc. No. 83).²

IT IS SO ORDERED.



ELI RICHARDSON
UNITED STATES DISTRICT JUDGE

² Unlike his previous motion, Plaintiff does not appear to also request a preliminary injunction.