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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

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RALPH HOWARD BLAKELY,

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Plaintiff,

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v.

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PATRICK PETERSON and J. DOE
TONHOFFER, M.D.,

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Defendants.

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NO: 2:18-CV-0081-TOR

ORDER GRANTING REQUEST FOR
EXPEDITED HEARING AND
DENYING SECOND MOTION FOR
INJUNCTIVE RELIEF

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BEFORE THE COURT is Plaintiff's second Motion for injunctive relief, for which he seeks expedited review. ECF No. 14. Plaintiff, a prisoner at the Airway Heights Corrections Center, is proceeding *pro se* and *in forma pauperis*; Defendants have not been served. The Motion was considered without oral argument on the date signed below.

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By Order filed April 6, 2018, ECF No. 13, the Court denied Plaintiff's initial Motion for injunctive relief, ECF No. 8. Plaintiff had sought the return of his wheelchair and a prescription for a particular medication. At that time, the Court

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ORDER GRANTING REQUEST FOR EXPEDITED HEARING AND
DENYING SECOND MOTION FOR INJUNCTIVE RELIEF -- 1

1 lacked jurisdiction to address Plaintiff's motion for injunctive relief as he had not
2 yet filed a legally sufficient complaint. *See* generally Fed. R. Civ. P. 3 and the notes
3 following the rule.

4 The Court found Plaintiff's initial complaint failed to state a claim upon which
5 relief may be granted and directed Plaintiff to amend or voluntarily dismiss within
6 sixty (60) days. ECF No. 13. Plaintiff has not complied with that directive.

7 For the reasons set forth above and in the Court's prior Order, ECF No. 13 at
8 16, **IT IS ORDERED** Plaintiff's request for expedited review is **GRANTED**, but
9 the Motion for Injunctive Relief, ECF No. 14, is **DENIED** with leave to renew after
10 Plaintiff has submitted a legally sufficient complaint. Plaintiff is again encouraged
11 to pursue medical treatment at his incarcerating facility and to file medical
12 grievances when appropriate.

13 **IT IS SO ORDERED.** The Clerk of Court is directed to enter this Order and
14 provide a copy to Plaintiff.

15 **DATED** April 17, 2018.



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Thomas O. Rice
THOMAS O. RICE
Chief United States District Judge