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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

LANCE P. McDERMOTT,  
Plaintiff,  
v.  
JOHN P. POTTER, Postmaster General,  
United States Postal Service,  
Defendant.

No. C09-776RSL  
ORDER DENYING MOTION FOR  
TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION

This matter comes before the Court on plaintiff’s “Motion for a Temporary Restraining Order, FCRP [sic] 65,” Dkt. #4, and plaintiff’s “Motion for Permanent Injunction, FCRP [sic] 65,” Dkt. #5.<sup>1</sup> Plaintiff seeks a temporary restraining order (“TRO”) to stop the United States Postal Service from closing the SeaTac Air Mail facility without due process, Dkt. #4 at 1, and an injunction to bar the Postal Service from “closing, consolidating or selling any facility without going through the lawful process and obtaining a Headquarters Approval to do so,” Dkt.

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<sup>1</sup> Because plaintiff appears to cite to Fed. R. Civ. P. 65 governing preliminary injunctions, the Court interprets this *pro se* pleading as a motion for a preliminary injunction, not a motion for a permanent injunction.

1 #5 at 1. In the Ninth Circuit, the standard for issuing a TRO is the same as the standard for  
2 preliminary injunction: a plaintiff “must establish that he is likely to succeed on the merits, that  
3 he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of  
4 equities tips in his favor, and that an injunction is in the public interest.” Winter v. Natural Res.  
5 Def. Council, Inc., 129 S.Ct. 365, 374 (2008).

6 Plaintiff’s motions each consist of a single sentence. He has provided nothing either in  
7 his motions or his complaint that would indicate he is likely to succeed on the merits of his  
8 claim.

9 Therefore, plaintiff’s motion for a TRO (Dkt. #4) and his motion for a preliminary  
10 injunction (Dkt. #5) are DENIED.

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12 DATED this 5<sup>th</sup> day of June, 2009.

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17 Robert S. Lasnik  
18 United States District Judge  
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