

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

MARK P. STAFFA,

Plaintiff,

-vs-

Case No. 13-CV-5

WILLIAM POLLARD, DR. DAVID BURNETT,
DR. P. SUMNICHT, BELINDA SCHRUBBE,
and JAMES GREER,

Defendants.

ORDER

The plaintiff has filed two motions for temporary restraining order/injunction. He requests immediate hospitalization in a hospital that can be held accountable to the court and not allowed to withhold potentially life-threatening medical information. According to the plaintiff, he is in danger because of a lack of adequate medical attention.

A party seeking a preliminary injunction must demonstrate that he is reasonably likely to succeed on the merits, that he is experiencing irreparable harm that exceeds any harm his opponent will suffer if the injunction issues, that he lacks an adequate remedy at law, and that the injunction would not harm the public interest. *Christian Legal Soc’y v. Walker*, 453 F.3d 853, 859 (7th Cir. 2006). “If the moving party meets this threshold burden, the district court weighs the factors against one another in a sliding scale analysis . . . which is to say the district court must exercise its discretion to determine whether the balance of

harms weighs in favor of the moving party or whether the nonmoving party or public interest will be harmed sufficiently that the injunction should be denied. *Id.*; see *Joelner v. Vill. of Wash. Park*, 378 F.3d 613, 619 (7th Cir. 2004).

The plaintiff is proceeding on an Eighth Amendment medical care claim based on exposure to communicable diseases at Waupun Correctional Institution, and the defendants' alleged failure to inform him of and treat him for the diseases. However, the plaintiff has not demonstrated a reasonable likelihood of success on the merits. Moreover, his motions describe ongoing medical care he is receiving. Thus, the court will not grant his requests for injunctive relief.

IT IS THEREFORE ORDERED that the plaintiff's motion for temporary restraining order/injunction (Docket #9) is **denied**.

IT IS FURTHER ORDERED that the plaintiff's motion for temporary restraining order/injunction (Docket # 16) is **denied**.

Dated at Milwaukee, Wisconsin, this 31st day of May, 2013.

SO ORDERED,



HON. RUDOLPH T. RANDA
U. S. District Judge