

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

MICHAEL A. KUMMER,

Plaintiff,

v.

Case No. 17-cv-1097-pp

BLAKE CAPITAL CORPORATION
d/b/a/ THE RIDGES LIMITED
PARTNERSHIP

Defendant.

**ORDER DENYING PLAINTIFF’S EMERGENCY MOTION FOR AN *EX PARTE*
TEMPORARY RESTRAINING ORDERAS MOOT (DKT. NO. 3) AND
RETURNING CASE TO MAGISTRATE JUDGE JOSEPH FOR FURTHER
PROCEEDINGS**

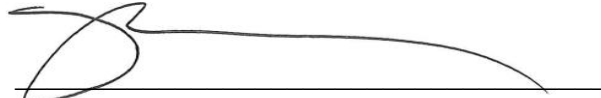
On August 9, 2017, the plaintiff filed a *pro se* complaint asking for an “emergency order from the Court (Rule 65 FRCP) against the Defendants commanding Defendants to STOP any further adverse action which impairs the Plaintiffs tenancy.” Dkt. No. 1 at 4. Because the plaintiff cited Federal Rule of Civil Procedure 65, the clerk’s office re-docketed the complaint as an emergency motion for a temporary restraining order. Dkt. No. 3.

A little over a week later, the plaintiff filed an amended complaint. Dkt. No. 6. The amended complaint seeks only monetary damages, and does not mention a request for relief under Federal Rule of Civil Procedure 65. Because the amended complaint supersedes his original complaint, there is no longer a motion for injunctive relief pending before the court.

The court **DENIES AS MOOT** the plaintiff's motion for an emergency restraining order. Dkt. No. 3. The court **REFERS** the case back to Magistrate Judge Nancy Joseph for further proceedings.

Dated in Milwaukee, Wisconsin this 28th day of August, 2017.

BY THE COURT:

A handwritten signature in black ink, appearing to read 'P. Pepper', written over a horizontal line.

HON. PAMELA PEPPER
United States District Judge