UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
TERRE HAUTE DIVISION

CHRISTOPHER JOE MCCASTER,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 2:18-cv-00251-JPH-DLP
	)	
MCKINNEY, Sergeant,	)	
SHAW, Sergeant,	)	
S. GONZALEZ, C/O,	)	
	)	
Defendants.	)	

REPORT AND RECOMMENDATION

This matter comes before the Court on the Plaintiff's Motion for Preliminary Injunction (Dkt. 31). For the reasons set forth below, the Magistrate Judge recommends that this Court **DENY** the Plaintiff's Motion.

In Plaintiff's Motion for Preliminary Injunction, he requests that the Defendant preserve and provide to him a copy of the surveillance video that shows the events alleged in the Complaint. The Defendant filed a response, noting that the Plaintiff's request should be made through the discovery process, rather than through a preliminary injunction. The Plaintiff has not filed a reply.

"A preliminary injunction is an extraordinary remedy and is never awarded as of right. *Winter v. Natural Res. Def. Council, Inc.,* 555 U.S. 7, 20 (2008). Preliminary injunctions are an exercise of far-reaching power, never to be indulged in except in a case clearly demanding it. *Roland Mach. Co. v. Dresser Indus., Inc.,* 749 F.2d 380, 389 (7th Cir. 1984).

District courts are required to analyze requests for preliminary injunction closely, in order to determine whether, for instance, there are other legal remedies available to the moving party. *See, Girl Scouts of Manitou Council, Inc. v. Girl Scouts of U.S. of America, Inc.*, 549 F.3d 1079 (7th Cir. 2008). Here, it appears that the relief requested by the Plaintiff is more appropriately the subject of discovery, rather than a preliminary injunction. The Plaintiff should instead send an interrogatory and request for production to the Defendant directly, pursuant to Federal Rules of Civil Procedure 33 and 34.

CONCLUSION

For the reasons detailed herein, the Magistrate Judge recommends that this Court **DENY** the Plaintiff's Motion for Preliminary Injunction (Dkt. 31).

Any objections to the Magistrate Judge's Report and Recommendation shall be filed with the Clerk in accordance with 28 U.S.C. §636(b)(1). Failure to timely file objections within fourteen days after service shall constitute waiver of subsequent review absent a showing of good cause for such failure. Counsel should not anticipate any extension of this deadline or any other related briefing deadlines.

So ORDERED.

Date: 12/12/2018

Doris L. Pryor

Doris L. Pryor
United States Magistrate Judge
Southern District of Indiana

Distribution:

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