

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

RODOSVALDO C. POZO,

Plaintiff,

v.

ORDER

CINDY SAWINSKI, DR. COX, DR. THOMAS
BOSTON and R. SCHNEITER,

06-C-206-S

Defendants.

Plaintiff was allowed to proceed on his claims that he was denied treatment for his infected ear, denied dental treatment and deprived of visits with his daughter. Plaintiff moves for injunctive relief providing him with a replacement upper denture and permitting him to telephone and visit with his daughter. This motion has been fully briefed and is ready for decision.

To prevail on a motion for a preliminary injunction plaintiff must establish: 1) that he has no adequate remedy at law; 2) that he will suffer irreparable harm if a preliminary injunction is not issued; 3) that the harm he will suffer if the order is not granted would be greater than the harm defendants will suffer if the order is granted; 4) that he has a reasonable likelihood of success on the merits; and 5) that the injunction will not harm the public interest. Brunswick Corp. v. Jones, 784 F. 2d 271, 273-64 (7th Cir. 1986).

Although it is difficult to determine at this time the likelihood of plaintiff's success on the merits, he has an adequate remedy at law. Further, plaintiff has not shown that he will suffer irreparable harm if the injunction is not issued. Accordingly, plaintiff's motion for a preliminary injunction will be denied.

ORDER

IT IS ORDERED that plaintiff's motion for a preliminary injunction is DENIED.

Entered this 19th day of June, 2006.

BY THE COURT:

S/

JOHN C. SHABAZ
District Judge