

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

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ERIC WISE,

Plaintiff,

v.

ORDER

TIMOTHY LUNDQUIST, STEPHANIE  
FLINT and MILDRED PARISE,

07-C-20-S

Defendants.

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Plaintiff moves for an order granting his request for a temporary restraining order allowing him access to the law library three hours a day. On March 19, 2007 defendants responded to the motion.

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).

The first question is whether plaintiff has a reasonable likelihood of success on the merits of his claim. It does not

appear that plaintiff has a reasonable likelihood of success on the merits of his claim because defendants contend he has not exhausted his administrative remedies. He also has an adequate remedy at law. Accordingly, plaintiff's motion for a preliminary injunction is denied.

ORDER

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

Entered this 19<sup>th</sup> day of March 2007.

BY THE COURT:

/s/

JOHN C. SHABAZ

District Judge