

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

CHAMBERS OF
MADELINE COX ARLEO
UNITED STATES DISTRICT JUDGE

MARTIN LUTHER KING
COURTHOUSE
50 WALNUT ST.
NEWARK, NJ 07101
973-297-4903

May 21, 2019

VIA ECF

LETTER ORDER

Re: Kenworthy v. DCP&P, et al
Civil Action No. 19-10209

Dear Mr. Kenworthy:

The Court has reviewed your pro se motion “for request for federal gag order/restraining order in lieu of formal libel suit...” It appears that your claims, which are difficult to decipher, stem, in part, from a psychiatric evaluation which ultimately resulted in your detention at the Ocean County Jail for observation. The docket reflects that while your Complaint was filed, it has not been served on the multiple defendants, most of whom are corporate entities, including RWJ Barnabas Health, Carrier Clinic, Ocean County Jail, various psychiatric health care providers and others. On January 3, 2019, this Court denied a similar request for a restraining Order based on “threats... from law/mafia/medical professionals ...”, see January 3, 2019 letter order, Civil Action No. 18-12822. Id. For the following reasons, the request is **DENIED**.

Federal Rule of Civil Procedure 65(b)(1) provides that a temporary restraining order may be issued without notice to the adverse party only if: “(A) specific facts in an affidavit or verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition; and (B) the movant’s attorney certifies in writing any efforts made to give notice and the reasons why it should not be required.” Local Civil Rule 65.1(a) requires a movant to make “a clear and specific showing by affidavit . . . or verified pleading of good and sufficient reasons why a procedure other than by notice of motion is necessary.”

You have not met that standard. You not made any “clear and specific showing” of irreparable harm, nor have you demonstrated a likelihood of success on the merits of his underlying action. The case will proceed in the normal course, after all parties have been served with the Complaint.

The Clerk's Office is hereby directed to mail a copy of this Order to Plaintiff via certified mail.

SO ORDERED.

/s Madeline Cox Arleo

MADLINE COX ARLEO
UNITED STATES DISTRICT JUDGE