

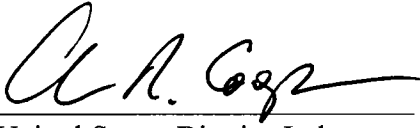
Along with his complaint, Plaintiff filed a motion seeking a temporary restraining order and a preliminary injunction. The Court will deny that motion. A temporary restraining order “without . . . notice to the adverse part[ies]” is permitted “only if . . . specific facts in an affidavit

or a verified complaint clearly show that immediate and irreparable injury, loss, or damage will result to the [plaintiff] before the adverse part[ies] can be heard in opposition.” Fed. R. Civ. P. 65(b)(1)(A). The Court denies the motion for a temporary restraining order because plaintiff has not certified that he made “any efforts . . . to give notice [to the defendants] and the reasons why it should not be required.” Fed. R. Civ. P. 65(b)(1)(B).

In addition, the Court must deny Plaintiff’s motion for a preliminary injunction because he has not demonstrated “1) a substantial likelihood of success on the merits, 2) that [he] would suffer irreparable injury if the injunction is not granted, 3) that an injunction would not substantially injure other interested parties, and 4) that the public interest would be furthered by the injunction.” *Katz v. Georgetown University*, 246 F.3d 685, 687 (D.C. Cir. 2001) (quoting *City-Fed Fin. Corp. v. Office of Thrift Supervision*, 58 F.3d 738, 746 (D.C. Cir. 1995)). Most relevant here, the Court is doubtful that Plaintiff will succeed in obtaining injunctive relief on the merits: His due process claim will almost surely fail on the ground that AEAONMS is not a state actor. *See, e.g., Sims v. Dist. of Columbia*, 699 F. Supp. 2d 217, 224–25 (D.D.C. 2010). The criminal statute he invokes, 18 U.S.C. § 1512, does not appear to create a private right of action. *See Lee v. U.S. Agency for Int’l Dev.*, 859 F.3d 74, 77–78 (D.C. Cir. 2017). The complaint does not indicate that Plaintiff is employed by AEAONMS, which suggests that he has no cause of action against it for retaliation. And to the extent that Plaintiff may have a viable defamation claim, he identifies no authority that allows for the injunctive relief he requests: to set aside the Imperial Potentate’s removal decision or to halt AEAONMS’s upcoming elections.

The Court will therefore grant Plaintiff leave to proceed *in forma pauperis* but will deny his Emergency Motion for a Temporary Restraining Order and Preliminary Injunction. A separate Order accompanies this Memorandum Opinion.

DATE: January 4, 2018

A handwritten signature in black ink, appearing to read "A. A. Cozz", written over a horizontal line.

United States District Judge