

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
ARKANSAS, FAYETTEVILLE DIVISION

**Paul Shumate v. Benton County, Arkansas; Sheriff Shawn Holloway;
Major Robert Bersi; John Doe Correctional Officers 1–10; John Doe
Nurses / Medical Staff 1–5; Chris Willis; John Doe Deputy ("Willis-
Neighbor"); John Doe Officer Who Conducted the Traffic Stop; and
City of Bentonville, Arkansas**

Civil No. 5:25-cv-05257-TLB-CDC · No. Civil No. 5:25-cv-05257-TLB-CDC · Decided January 5, 2026

SUMMARY

A magistrate judge recommends denying Paul Shumate’s motion for a temporary restraining order and preliminary injunction in a 42 U.S.C. § 1983 action alleging excessive force and inadequate medical care at the Benton County Detention Center. The recommendation concludes that Shumate cannot establish a threat of irreparable harm to himself because he was no longer incarcerated when he filed the action and lacks standing to seek relief for other detainees.

CASE DETAILS

COURT	United States District Court for the Western District of Arkansas, Fayetteville Division
WRITING FOR THE COURT	Christy Comstock
JURISDICTION	United States District Court for the Western District of Arkansas, Fayetteville Division
DECIDED	January 5, 2026
DOCKET	Civil No. 5:25-cv-05257-TLB-CDC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff, proceeding pro se and in forma pauperis, filed a 42 U.S.C. § 1983 action and moved for a temporary restraining order and preliminary injunction. The magistrate judge issued a Report and Recommendation recommending denial of the motion.
STANDARD OF REVIEW	Requests for temporary restraining orders and preliminary injunctions are evaluated under the four Dataphase factors: threat of irreparable harm, balance of harms, likelihood of success on the merits, and the public interest. The movant bears the burden of showing that

	injunctive relief is proper, and relief must be denied if irreparable harm is not shown.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Paul Shumate v. Benton County, Arkansas, Sheriff Shawn Holloway, Major Robert Bersi, John Doe Correctional Officers 1–10, John Doe Nurses / Medical Staff 1–5, Chris Willis, John Doe Deputy ("Willis-Neighbor"), John Doe Officer Who Conducted the Traffic Stop, City of Bentonville, Arkansas

TOPICS

injunctions standing section 1983 civil rights civil procedure

PRACTICE AREAS

civil rights constitutional law injunctive relief prisoner rights

QUESTIONS PRESENTED

1. Whether Shumate was entitled to a temporary restraining order or preliminary injunction under Federal Rule of Civil Procedure 65.
2. Whether a plaintiff who was no longer incarcerated could establish the required threat of immediate and irreparable harm to himself.
3. Whether Shumate had standing to seek injunctive relief for injuries allegedly inflicted on other detainees.

HOLDINGS

1. The request for a temporary restraining order and preliminary injunction should be denied because Shumate could not show a threat of irreparable harm to himself.
2. Shumate could not obtain injunctive relief based on alleged injuries to other detainees because he had not brought a class action and lacked standing to seek remedies for injuries inflicted on parties other than himself.

KEY QUOTATIONS

“Plaintiff’s Motion should be denied for one very simple reason: he cannot show any threat of irreparable harm to himself in the absence of injunctive relief, because he is no longer incarcerated.”

“Plaintiff has not brought this lawsuit as a class action, and he does not have standing to seek remedies for injuries inflicted on parties other than himself.”

FACTUAL BACKGROUND

Shumate alleged that defendants used excessive force against him and denied him adequate medical care while he was incarcerated at the Benton County Detention Center. He had been released from custody before filing both the lawsuit and the motion for injunctive relief. His motion sought protection not only for himself but also for medically fragile detainees who might remain at the facility.

PROCEDURAL HISTORY

Shumate filed a civil-rights complaint alleging excessive force and inadequate medical care during his prior incarceration at the Benton County Detention Center. He filed the motion for injunctive relief before any defendant answered. Because the motion was filed before the defendants had been heard and Shumate was no longer incarcerated, the magistrate judge treated the request as one for a TRO and recommended that it be denied.

DISPOSITION

other

CASES CITED

- Tumey v. Mycroft AI, Inc., 27 F.4th 657, 665 (8th Cir. 2022)
- Dataphase Sys., Inv. v. C L Sys., Inc., 640 F.2d 109, 114 (8th Cir. 1981) (en banc)
- Watkins Inc. v. Lewis, 346 F.3d 841, 844 (8th Cir. 2003)