

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
VIRGINIA, ROANOKE DIVISION

Bishop Leland Lazarus v. Warden D.W. Zook, et al.

Lazarus · No. 7:25CV00312 · Decided May 22, 2026

SUMMARY

The court denies without prejudice a pro se Virginia inmate’s renewed motion for a temporary restraining order and preliminary injunction seeking a Pentecostal communal worship service on May 24, 2026. The court concludes that the requested relief concerns a specific holiday not addressed in the underlying complaint and would disrupt the status quo, making preliminary relief unavailable.

CASE DETAILS

COURT	United States District Court for the Western District of Virginia, Roanoke Division
WRITING FOR THE COURT	James P. Jones
JURISDICTION	United States District Court for the Western District of Virginia, Roanoke Division
DECIDED	May 22, 2026
DOCKET	7:25CV00312
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff brought a civil rights action under 42 U.S.C. § 1983 and the Religious Land Use and Institutionalized Persons Act and renewed his motion for a temporary restraining order and preliminary injunction. The district court denied the renewed motion without prejudice.
STANDARD OF REVIEW	A party seeking a preliminary injunction must clearly show a likelihood of success on the merits, likely irreparable harm absent relief, that the balance of equities tips in the party's favor, and that an injunction is in the public interest; all four factors must be satisfied.
PRECEDENTIAL VALUE	District court opinion; precedential status unknown and no reporter citation appears.
PARTIES	Bishop Leland Lazarus v. Warden D.W. Zook, et al.

TOPICS

injunctions

civil procedure

prisoners rights

first amendment

PRACTICE AREAS

civil procedure

constitutional law

prisoner civil rights

religious exercise

QUESTIONS PRESENTED

1. Whether a preliminary injunction may grant relief concerning a specific religious service or holiday that was not addressed in the underlying complaint.
2. Whether Lazarus was entitled to a renewed preliminary injunction or temporary restraining order requiring defendants to provide a Pentecostal communal worship service on May 24, 2026.

HOLDINGS

1. A motion for a preliminary injunction must be related to the underlying complaint and is not an appropriate vehicle for asserting new claims or obtaining relief concerning a specific matter not addressed in the complaint.
2. Lazarus was not entitled to a preliminary injunction because he failed to establish the requirements for interlocutory relief, including the need for relief that would alter rather than preserve the status quo.
3. Because Lazarus was not entitled to a preliminary injunction, there was no basis to grant a temporary restraining order.

KEY QUOTATIONS

“A party seeking a preliminary injunction must state facts clearly showing “that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest.”” (at 1)

“A preliminary injunction is an extraordinary remedy intended to protect the status quo and prevent irreparable harm during the pendency of a lawsuit.” (at 2)

FACTUAL BACKGROUND

Lazarus, a Virginia inmate, alleged that prison officials violated his rights by refusing to provide Pentecostal worship services on Sundays. In the renewed motion, he sought an order requiring defendants to provide a specific communal Pentecostal worship service on Sunday, May 24, 2026, the Holy Day of Pentecost. The requested service was not specifically addressed in the underlying complaint and would have altered the existing religious-services arrangement.

PROCEDURAL HISTORY

Lazarus filed a complaint challenging the defendants' refusal to provide Pentecostal worship services on Sundays and simultaneously sought temporary and preliminary injunctive relief. The court previously denied interlocutory relief, concluding that the existing religious-services arrangement maintained the status quo and that additional evidence was needed. Lazarus then renewed his motion, seeking a Pentecostal communal worship

service for May 24, 2026, the Holy Day of Pentecost. The court denied the renewed motion without prejudice because it sought relief concerning a specific holiday not addressed in the complaint and would disrupt the status quo.

DISPOSITION

other

CASES CITED

- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20 (2008)
- Rice v. Dotson, No. 7:25-cv-00234, 2025 WL 2969101, at *2 (W.D. Va. Oct. 20, 2025)
- Omega World Travel, Inc. v. Trans. World Airlines, 111 F.3d 14, 16 (4th Cir. 1997)
- Guille v. Eldridge, No. 7:24-cv-00786, 2025 WL 2807046, at *1 (W.D. Va. Sept. 26, 2025)
- Di Biase v. SPX Corp., 872 F.3d 224, 230 (4th Cir. 2017)

OPINION

May 22, 2026 LAURA A. AUSTIN, CLERK By: /s/ M. Poff IN THE UNITED STATES DISTRICT COURT DEPUTY CLERK FOR THE WESTERN DISTRICT OF VIRGINIA ROANOKE DIVISION BISHOP LELAND LAZARUS,)) Plaintiff,) Case No. 7:25CV00312) V.) OPINION AND ORDER) WARDEN D.W. ZOOK, et al.,) JUDGE JAMES P. JONES) Defendants.) Bishop Leland Lazarus, Pro Se Plaintiff; Christina E. Agee, Assistant Attorney General, OFFICE OF THE ATTORNEY GENERAL, CRIMINAL JUSTICE & PUBLIC SAFETY DIVISION, Richmond, Virginia, for Defendants.

The plaintiff, a Virginia inmate proceeding pro se, filed this civil rights action under 42 U.S.C. § 1983 and the Religious Land Use and Institutionalized Persons Act (RLUIPA). Along with his Complaint, Lazarus filed a Motion for Temporary Restraining Order and Preliminary Injunction, which was denied. Now pending is Lazarus’s Renewed Motion for Temporary Restraining Order and Preliminary Injunction.

The defendants have filed a Response in Opposition, and the matter is ripe for consideration. Upon review, I conclude that Lazarus’s motion will be denied. A party seeking a preliminary injunction must state facts clearly showing “that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest.” Winter v. Nat.

Res. Def. Council, Inc., 555 U.S. 7, 20 (2008). Each of these four factors must be satisfied. Id. Lazarus currently requests that the court direct the defendants to provide a Pentecostal communal worship service on Sunday, May 24, 2026, the Holy Day of Pentecost.

In response, the defendants assert that Lazarus's request for a preliminary injunction should be denied where Lazarus is seeking relief on a claim not raised in the underlying Complaint. I agree. While Lazarus asserted claims in the underlying Complaint that the defendants violated his rights by refusing to provide Pentecostal worship services on Sundays, he now seeks a specific service to be held on Sunday, May 24, 2026.

I have already determined that Lazarus had not made the requisite showing to warrant interlocutory relief, particularly where the status quo would be maintained by the current religious services arrangement, and more evidence is needed to determine whether the defendants have violated the Constitution. Op. & Order 16–18, Dkt. No. 24. Lazarus may not now seek relief concerning a specific upcoming religious holiday that was not addressed by the Complaint and that would disrupt the status quo.

See *Rice v. Dotson*, No. 7:25-cv-00234, 2025 WL 2969101, at *2 (W.D. Va. Oct. 20, 2025) (“[A] motion for a preliminary injunction must be related to the underlying complaint; it is not an appropriate vehicle for asserting new claims.”) (citing *Omega World Travel, Inc. v. Trans. World Airlines*, 111 F.3d 14, 16 (4th Cir. 1997)); see also *Guille v. Eldridge*, No. 7:24-cv-00786, 2025 WL 2807046, at *1 (W.D.

Va. Sept. 26, 2025) (“A preliminary injunction is an extraordinary remedy intended to protect the status quo and prevent irreparable harm during the pendency of a lawsuit.”) (quoting *Di Biase v. SPX Corp.*, 872 F.3d 224, 230 (4th Cir. 2017)).¹ Accordingly, it is ORDERED that Lazarus's Renewed Motion for Temporary Restraining Order and Preliminary Injunction, Dkt.

No. 27, is DENIED without prejudice. ENTER: May 22, 2026 /s/ JAMES P. JONES Senior United States District Judge 1 As I previously concluded, because Lazarus is not entitled to a preliminary injunction, there is no basis on which to grant him a temporary restraining order, and his motion will also be denied in this regard.