

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
NEW YORK

Theodore Simpson v. Ann E. Loricchioandola, et al.

Simpson · No. 9:25-CV-0545 (GTS/TWD) · Decided December 29, 2025

SUMMARY

The United States District Court for the Northern District of New York denied without prejudice Theodore Simpson's motion for a preliminary injunction in his pro se 42 U.S.C. § 1983 action. The court held that Simpson had not submitted admissible evidence, had shown only past and speculative future harm, sought an impermissibly vague “obey the law” injunction, and sought relief against nonparties. The underlying surviving claims concern alleged First Amendment retaliation and Eighth Amendment medical indifference.

CASE DETAILS

COURT	United States District Court for the Northern District of New York
WRITING FOR THE COURT	Glenn T. Suddaby
JURISDICTION	United States District Court for the Northern District of New York
DECIDED	December 29, 2025
DOCKET	9:25-CV-0545 (GTS/TWD)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for a preliminary injunction in a prisoner civil-rights action under 42 U.S.C. § 1983.
STANDARD OF REVIEW	A preliminary injunction generally requires irreparable harm and either a likelihood of success on the merits or sufficiently serious questions going to the merits with the balance of hardships tipping decidedly toward the movant. A mandatory injunction altering the status quo requires a clear or substantial showing of entitlement to relief or that extreme or very serious damage will result from denial. The district court has broad discretion in deciding whether to grant preliminary injunctive relief.
PRECEDENTIAL VALUE	unpublished district court decision

TOPICS

- injunctions
- prisoners rights
- section 1983
- civil rights
- equitable relief

PRACTICE AREAS

civil rights

prisoner litigation

injunctive relief

QUESTIONS PRESENTED

1. Whether Simpson demonstrated entitlement to a preliminary or mandatory injunction based on his allegations concerning interference with medical treatment.
2. Whether past harm and speculative future injury established the irreparable-harm requirement.
3. Whether an injunction directing officials not to interfere with medical care was an impermissible vague command to obey the law.
4. Whether the court could enjoin nonparty officials who allegedly interfered with Simpson's medication.

HOLDINGS

1. Simpson was not entitled to a preliminary injunction because he failed to provide admissible evidence supporting his allegations and failed to satisfy the requirements for preliminary relief.
2. Past harm and speculative, remote, or future injury are insufficient to establish irreparable harm; the plaintiff must show an injury that is actual and imminent and cannot be remedied by waiting for trial.
3. An injunction directing officials merely not to interfere with lawful medical care is disfavored when it is vague, imposes no obligation beyond existing law, and is not readily enforceable.
4. A court may enjoin nonparties only under the limited circumstances identified in Federal Rule of Civil Procedure 65(d)(2), and it may not issue an injunction over a person over whom it lacks personal jurisdiction.

KEY QUOTATIONS

"A mandatory preliminary injunction "should issue only upon a clear showing that the moving party is entitled to the relief requested, or where extreme or very serious damage will result from a denial of preliminary relief." (at 3)

"Rather, a plaintiff seeking to satisfy the irreparable harm requirement must demonstrate that "absent a preliminary injunction [he or she] will suffer an injury that is neither remote nor speculative, but actual and imminent, and one that cannot be remedied if a court waits until the end of trial to resolve the harm." (at 4)

"Obey the law" injunctions are vague, do not require a defendant to do anything more than that already imposed by law, subject the defendant to contempt rather than statutorily prescribed sanctions, and are not readily capable of enforcement." (at 5-6)

FACTUAL BACKGROUND

Simpson, an incarcerated plaintiff receiving medical and medication-assisted treatment for chronic pain, alleged that a trainee nurse falsified information, causing a nonparty physician assistant to abruptly stop his medication without his consent. He also alleged that the nonparty official had stopped his medication and threatened him in

the past. He sought an order directing all staff at Eastern Correctional Facility not to interrupt his medical care or medication-assisted treatment.

PROCEDURAL HISTORY

Simpson filed a pro se § 1983 complaint and an application to proceed in forma pauperis. The court granted IFP status, dismissed some claims without prejudice, and allowed certain First Amendment retaliation and Eighth Amendment medical-indifference claims to proceed after screening the original and amended complaints. Simpson then moved for injunctive relief concerning interference with his medical care and medication; defendants opposed the motion.

DISPOSITION

other

CASES CITED

- Otoe-Missouria Tribe of Indians v. New York State Department of Financial Services, 769 F.3d 105, 110 (2d Cir. 2014)
- Lynch v. City of New York, 589 F.3d 94, 98 (2d Cir. 2009)
- Cacchillo v. Insmad, Inc., 638 F.3d 401, 406 (2d Cir. 2011)
- Citigroup Global Markets, Inc. v. VCG Special Opportunities Master Fund Ltd., 598 F.3d 30, 35 n.4 (2d Cir. 2010)
- Tom Doherty Associates, Inc. v. Saban Entertainment, Inc., 60 F.3d 27, 33-34 (2d Cir. 1995)
- Local 1814, International Longshoremen's Association, AFL-CIO v. New York Shipping Association, Inc., 965 F.2d 1224, 1228 (2d Cir. 1992)
- Moore v. Consolidated Edison Co. of New York, Inc., 409 F.3d 506, 511 (2d Cir. 2005)
- Fisher v. Goord, 981 F. Supp. 140, 167-68 (W.D.N.Y. 1997)
- Farmer v. Brennan, 511 U.S. 825, 846-47 (1994)
- Hancock v. Essential Resources, Inc., 792 F. Supp. 924, 928 (S.D.N.Y. 1992)
- Ivy Mar Co. v. C.R. Seasons Ltd., 907 F. Supp. 547, 561 (E.D.N.Y. 1995)
- Fox v. Anthony, 2010 WL 3338549, at *2 (N.D.N.Y. July 15, 2010)
- Groves v. Davis, 2012 WL 651919, at *8 (N.D.N.Y. Feb. 28, 2012)
- Los Angeles v. Lyons, 461 U.S. 95, 111-12 (1983)
- Kamerling v. Massanari, 295 F.3d 206, 214 (2d Cir. 2002)
- Bisnews AFE (Thailand), 437 F. App'x 57, 58 (2d Cir. 2011)
- Faiveley Transport Malmo AB v. Wabtec Corp., 559 F.3d 110, 118 (2d Cir. 2009)
- Garcia v. Arevalo, 1994 WL 383238, at *2 (S.D.N.Y. June 27, 1994)
- Haden v. Hellinger, 2016 WL 589703, at *1 (N.D.N.Y. Feb. 11, 2016)
- Agostini v. Backus, 2015 WL 1579324, at *3 (W.D.N.Y. Apr. 9, 2015)
- Ward v. LeClaire, 2007 WL 1532067, at *2 (N.D.N.Y. May 24, 2007)

- N.L.R.B. v. Express Publishing Co., 312 U.S. 426, 435-36 (1941)
- Rowe v. New York State Division of Budget, 2012 WL 4092856, at *7 (N.D.N.Y. Sept. 17, 2012)
- New York v. Shinnecock Indian Nation, 560 F. Supp. 2d 186, 189 (E.D.N.Y. 2008)
- S.C. Johnson & Son, Inc. v. Clorox Co., 241 F.3d 232, 240 (2d Cir. 2001)
- Peregrine Myanmar Ltd. v. Segal, 89 F.3d 41, 51 (2d Cir. 1996)
- Doctor's Associates, Inc. v. Reinert & Duree, P.C., 191 F.3d 297, 302-03 (2d Cir. 1999)
- United States v. Regan, 858 F.2d 115, 120 (2d Cir. 1988)
- In re Rationis Enterprises, Inc. of Panama, 261 F.3d 264, 270 (2d Cir. 2001)

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