

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
OHIO, WESTERN DIVISION

Yusef Brown-Austin v. Annette Chambers-Smith, et al.

Brown-Austin · No. 1:24-cv-397 · Decided February 10, 2026

SUMMARY

A United States Magistrate Judge recommends denying Yusef Brown-Austin’s motion for a temporary restraining order and preliminary injunctive relief in his prisoner civil rights action. The recommendation also advises denying his motion to supplement the pleadings with additional retaliation allegations concerning his prison security classification.

CASE DETAILS

COURT	United States District Court for the Southern District of Ohio, Western Division
WRITING FOR THE COURT	Stephanie K. Bowman; Matthew W. McFarland
JURISDICTION	United States District Court for the Southern District of Ohio, Western Division
DECIDED	February 10, 2026
DOCKET	1:24-cv-397
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for a temporary restraining order and other preliminary injunctive relief, and separately moved to supplement or amend his pleadings under Federal Rule of Civil Procedure 15(d). The magistrate judge recommended denying both motions.
STANDARD OF REVIEW	A temporary restraining order and preliminary injunction require balancing the likelihood of success on the merits, irreparable harm, harm to others, and the public interest. A TRO also requires specific facts showing immediate and irreparable injury before the opposing party can be heard and an attorney certification concerning notice under Federal Rule of Civil Procedure 65(b)(1). Leave to amend or supplement pleadings is committed to the court's discretion and may be denied for undue delay, bad faith, repeated failure to cure deficiencies, undue prejudice, or futility.
PRECEDENTIAL VALUE	nonprecedential

PARTIES

Yusef Brown-Austin v. Annette Chambers-Smith, et al.

TOPICS

injunctions

motion to amend

prisoners rights

section 1983

civil procedure

PRACTICE AREAS

civil rights

prisoner civil rights

federal civil procedure

constitutional law

QUESTIONS PRESENTED

1. Whether Plaintiff established the requirements for a temporary restraining order or preliminary injunction concerning his prison security classification and alleged retaliation.
2. Whether Plaintiff should be permitted to supplement or amend his pleadings to add alleged retaliation claims concerning his return from extended restrictive housing transition to extended restrictive housing.

HOLDINGS

1. Plaintiff failed to demonstrate the likelihood of success, irreparable harm, or the remaining factors necessary for temporary or preliminary injunctive relief, and his motion should be denied.
2. Leave to supplement or amend should be denied because the proposed claims substantially repeat existing retaliation allegations, would be futile, and would be prejudicial and contrary to judicial economy.

KEY QUOTATIONS

“The purpose of a preliminary injunction is to preserve the status quo until a trial on the merits.”

“A preliminary injunction is an extraordinary remedy that should only be granted “upon a clear showing that the plaintiff is entitled to such relief.””

FACTUAL BACKGROUND

Brown-Austin was incarcerated at the Northeast Ohio Correctional Center and was transferred to the Ohio State Penitentiary on July 29, 2022, after events involving prison security, a firearm, and an assault on another inmate. He alleged that his security classification was increased without due process and that prison officials retaliated against him for complaining and filing suit. He was later placed in extended restrictive housing for up to five years based on the seriousness of the assault and his continuing security risk. In the proposed supplemental pleading, he alleged that officials temporarily reduced his classification to extended restrictive housing transition and then returned him to extended restrictive housing in retaliation for this lawsuit.

PROCEDURAL HISTORY

Plaintiff filed this prisoner civil-rights action on July 29, 2024, after previously litigating claims arising from his 2022 transfer and security classification. He filed an amended complaint and sought preliminary injunctive relief. The court denied earlier preliminary relief, and Plaintiff then filed the motions addressed in this Report

and Recommendation. The magistrate judge recommended that both motions be denied and advised the parties of their right to object under Rule 72(b).

DISPOSITION

other

CASES CITED

- Liberty Coins, LLC v. Goodman, 748 F.3d 682, 689-90 (6th Cir.)
- Overstreet v. Lexington Fayette Urban Cnty. Gov't, 305 F.3d 566, 573 (6th Cir.)
- Leary v. Daeschner, 228 F.3d 729, 736 (6th Cir.)
- In re DeLorean Motor Co., 755 F.2d 1223, 1229 (6th Cir.)
- Jones v. City of Monroe, 341 F.3d 474, 476 (6th Cir.)
- Lewis v. Humboldt Acquisition Corp., 681 F.3d 312 (6th Cir.) (en banc)
- S. Glazer's Distribs. of Ohio, LLC v. Great Lakes Brewing Co., 860 F.3d 844, 848-49 (6th Cir.)
- Winter v. Nat. Res. Def. Council, Inc., 555 U.S. 7, 22 (2008)
- Chabad of S. Ohio & Congregation Lubavitch v. City of Cincinnati, 363 F.3d 427, 432 (6th Cir.)
- Muhammad v. Close, 379 F.3d 413, 416 (6th Cir.)
- Thaddeus-X v. Blatter, 175 F.3d 378, 394 (6th Cir.)
- Ashcroft v. Iqbal, 556 U.S. 662 (2009)
- Harbin-Bey v. Rutter, 420 F.3d 571, 577, 580 (6th Cir.)
- Moody v. Daggett, 429 U.S. 78, 88 n. 9 (1976)
- Roach v. Hiland, No. 5:12-cv-P169-R, 2013 WL 1501424, at *2 (W.D. Ky. Apr. 1, 2013)
- Perry v. Warden Warren Corr. Inst., No. 1:20-cv-30, 2020 WL 1659875, at *2 (S.D. Ohio Mar. 30, 2020)
- Southern Milk Sales, 924 F.2d at 102
- Martin, 924 F.2d at 102
- Foman v. Davis, 371 U.S. 178, 182 (1962)
- Brumbalough v. Camelot Care Ctrs., Inc., 427 F.3d 996, 1001 (6th Cir.)
- Walker v. Joyce, No. 3:15-cv-136, 2016 U.S. Dist. LEXIS 186248, at *2 (S.D. Ohio July 8, 2016)
- Jones v. Hamilton Cnty., No. 23-3002, 2023 U.S. App. LEXIS 29975, 2023 WL 7391704 (6th Cir. Nov. 8, 2023)
- Thomas v. Arn, 474 U.S. 140 (1985)
- United States v. Walters, 638 F.2d 947 (6th Cir.)