

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
NEW YORK

Jalen Holmes v. Micheal Gardner, Correction Officer, et al.

Holmes · No. 9:25-CV-1139 (ECC/DJS) · Decided April 7, 2026

SUMMARY

The United States District Court for the Northern District of New York denied Jalen Holmes's motion for a preliminary injunction in his 42 U.S.C. § 1983 action concerning alleged retaliation, denial of meals, and prison conditions. The court found that the motion lacked evidentiary support demonstrating imminent irreparable harm and denied it without prejudice.

CASE DETAILS

COURT	United States District Court for the Northern District of New York
JURISDICTION	United States District Court for the Northern District of New York
DECIDED	April 7, 2026
DOCKET	9:25-CV-1139 (ECC/DJS)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for a preliminary injunction in a 42 U.S.C. § 1983 action alleging First Amendment retaliation and Eighth Amendment conditions-of-confinement violations.
STANDARD OF REVIEW	A preliminary injunction requires irreparable harm and either a likelihood of success on the merits or sufficiently serious questions going to the merits combined with a balance of hardships tipping decidedly toward the movant. A mandatory injunction altering the status quo requires a clear or substantial likelihood of success or a showing that extreme or very serious damage will result without relief. Alleged irreparable harm must be actual and imminent, supported by evidence rather than speculation, and the requested relief must relate to the conduct underlying the complaint.
PRECEDENTIAL VALUE	unpublished
PARTIES	Jalen Holmes v. Micheal Gardner, Correction Officer, Steven Hark, Thomas Delmar, et al.

TOPICS

injunctions

prisoners rights

section 1983

civil rights

remedies

PRACTICE AREAS

civil rights

prisoner litigation

constitutional law

federal civil procedure

QUESTIONS PRESENTED

1. Whether Holmes demonstrated irreparable harm sufficient to support a preliminary injunction.
2. Whether Holmes satisfied the heightened standard for a mandatory preliminary injunction altering the status quo.
3. Whether the requested injunctive relief was supported by evidence and sufficiently related to the conduct underlying the complaint.
4. Whether Holmes's allegations concerning meals, medical care, mental-health care, cancer testing, and transfer warranted preliminary injunctive relief.

HOLDINGS

1. A request for preliminary injunctive relief must be supported by evidence showing that the alleged irreparable harm is actual, imminent, and non-speculative; conclusory allegations and unsupported claims do not suffice.
2. A mandatory preliminary injunction that alters the status quo may issue only upon a clear or substantial showing of entitlement to relief or a showing that extreme or very serious damage will result if relief is denied.
3. Preliminary injunctive relief requires a demonstrated relationship between the injury claimed in the motion and the conduct giving rise to the complaint, and an injunction must be supported by specific factual and evidentiary grounds rather than a general command to obey the law.
4. A disagreement with the course of medical treatment, without more, does not establish a colorable § 1983 claim or justify preliminary injunctive relief.

KEY QUOTATIONS

"Preliminary injunctive relief "is an extraordinary and drastic remedy, one that should not be granted unless the movant, by a clear showing, carries the burden of persuasion."" (Section II.A)

"[I]f the plaintiff's accusations of continuing denial of food and medical attention are true, irreparable harm is satisfied for purposes of this motion."" (Section II.B)

"[P]ast allegations of misconduct stated in plaintiff's complaint, standing alone, are insufficient to support a finding of irreparable harm."" (Section II.B)

FACTUAL BACKGROUND

Holmes, incarcerated in DOCCS custody at Mid-State Correctional Facility, alleged that prison officials denied him meals one or two times per day in retaliation for filing grievances. He asserted that the alleged deprivation

caused weight loss, a mental-health crisis, and aggravated back pain, and he sought medical and mental-health evaluations and a transfer. The court found that his motion contained no evidentiary support establishing meal denials, denial of treatment, the responsible individuals, the timing and frequency of the alleged conduct, or an imminent risk of harm; the attached materials instead included documents describing refusal of orders and other misconduct and grievances largely unrelated to the motion.

PROCEDURAL HISTORY

Holmes filed a pro se § 1983 complaint while incarcerated and sought leave to proceed in forma pauperis. The court granted in forma pauperis status and screened the complaint under 28 U.S.C. §§ 1915(e)(2)(B) and 1915A(b), allowing First Amendment retaliation and Eighth Amendment conditions-of-confinement claims against Gardner, Hark, and Delmar to proceed. Holmes then moved for preliminary injunctive relief concerning alleged denial of meals, medical and mental-health care, weight loss, back pain, and a requested transfer; the court denied the motion without prejudice.

DISPOSITION

other

CASES CITED

- Moore v. Consol. Edison Co. of New York, Inc., 409 F.3d 506, 510 (2d Cir. 2005)
- Mazurek v. Armstrong, 520 U.S. 968, 972 (1997)
- Otoe-Missouria Tribe of Indians v. New York State Dep't of Fin. Servs., 769 F.3d 105, 110 (2d Cir. 2014)
- Lynch v. City of N.Y., 589 F.3d 94, 98 (2d Cir. 2009)
- Cacchillo v. Insmed, Inc., 638 F.3d 401, 406 (2d Cir. 2011)
- Citigroup Global Mkts., Inc. v. VCG Special Opportunities Master Fund Ltd., 598 F.3d 30, 35 n.4 (2d Cir. 2010)
- Jolly v. Coughlin, 76 F.3d 468, 482 (2d Cir. 1996)
- N.Y. ex rel. Schneiderman v. Actavis PLC, 787 F.3d 638, 660 (2d Cir.), cert. dismissed sub nom. Allergan PLC v. N.Y. ex. rel. Schneiderman, 136 S. Ct. 581 (2015)
- Candelaria v. Baker, 2006 WL 618576, at *3 (W.D.N.Y. Mar. 10, 2006)
- Allen v. Brown, 1998 WL 214418, at *4 (N.D.N.Y. Apr. 28, 1998)
- Fisher v. Goord, 981 F. Supp. 140, 167 (W.D.N.Y. 1997)
- Farmer v. Brennan, 511 U.S. 825, 846-47 (1994)
- Tom Doherty Assocs., Inc. v. Saban Entm't, Inc., 60 F.3d 27, 34 (2d Cir. 1995)
- Whitehead v. Departments of Corr. of City of New York, 1990 WL 186229, at *1-2 (E.D.N.Y. Nov. 9, 1990)
- Hall v. Annucci, 2021 WL 4392526, at *14 (S.D.N.Y. Sept. 24, 2021)
- Perkins v. Rock, 2013 WL 4781762, at *2 (N.D.N.Y. Sept. 5, 2013)
- Zielinski v. Annucci, 2020 WL 6866405, at *5 (N.D.N.Y. Nov. 23, 2020)
- Louis v. Morley, 2024 WL 4573677, at *3 (S.D.N.Y. Oct. 24, 2024)

- Smith v. Halstead, 2024 WL 4389284, at *3 (S.D.N.Y. Oct. 3, 2024)
- Tolbert v. Koenigsmann, 2016 WL 3349317, at *4 (N.D.N.Y. June 15, 2016)
- Haden v. Hellinger, 2016 WL 589703, at *1 (N.D.N.Y. Feb. 11, 2016)

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