

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
INDIANA, INDIANAPOLIS DIVISION

Loren Gary v. Dennis Reagle, et al.

Gary · No. 1:25-cv-01331-JPH-KMB · Decided December 16, 2025

SUMMARY

The United States District Court for the Southern District of Indiana denied two motions for a temporary restraining order or preliminary injunction, a motion for declaratory judgment, and a motion to strike. The court held that the first requested injunction lacked a nexus to the claims and sought relief against a nonparty, while the second lacked supporting evidence and clarity regarding the requested relief. The court also found the declaratory judgment motion and motion to strike insufficiently specific, and left a later TRO motion under advisement.

CASE DETAILS

COURT	United States District Court for the Southern District of Indiana, Indianapolis Division
WRITING FOR THE COURT	James Patrick Hanlon
JURISDICTION	United States District Court for the Southern District of Indiana, Indianapolis Division
DECIDED	December 16, 2025
DOCKET	1:25-cv-01331-JPH-KMB
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff filed three motions for a temporary restraining order and/or preliminary injunction, a motion for declaratory judgment, and a motion to strike the defendants' response to the declaratory-judgment motion. The court denied the first two TRO motions, the declaratory-judgment motion, and the motion to strike; the most recent TRO motion remained under advisement.
PRECEDENTIAL VALUE	Unknown; district-court order with no reporter or neutral citation.

TOPICS

- injunctions
- declaratory judgment
- civil procedure
- prisoners rights

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the court could grant injunctive relief directed at a nonparty and unrelated to the claims in the action.
2. Whether a preliminary injunction should issue when the movant submitted no supporting evidence and failed to clearly identify the requested relief.
3. Whether the plaintiff's declaratory-judgment motion adequately stated the grounds for the requested order.
4. Whether the motion to strike the opposition to the declaratory-judgment motion adequately stated a basis for relief.

HOLDINGS

1. A district court may not enter an injunction directing a nonparty to act or refrain from acting, and it may not grant injunctive relief lacking a nexus to the claims in the action.
2. A preliminary injunction, as an extraordinary remedy, requires some evidentiary support and a sufficiently clear statement of the relief sought.
3. A motion for declaratory judgment must state with particularity the grounds for seeking the order; a conclusory one-sentence request is insufficient.
4. A motion to strike must identify a legally sufficient basis for striking the opposing filing; a vague assertion that the opposition violated constitutional rights is insufficient.

KEY QUOTATIONS

“The Court cannot enter injunctions directing non-parties—such as Ms. McCorkle—to act or refrain from acting, nor can it order injunctive relief that lacks a nexus to the underlying claims.”

“Still, there must be some evidence in support before the Court will consider granting the “extraordinary” remedy of a preliminary injunction.”

“The Court agrees that Mr. Gary's declaratory judgment motion does not adequately state upon what grounds it would be appropriate to issue a declaratory judgment at this stage of the proceedings.”

FACTUAL BACKGROUND

The underlying action concerns alleged Legionnaires' contamination of the water at Pendleton Correctional Facility. Gary's first TRO motion sought to prevent a nonparty staff member, Katelyn McCorkle, from handling his case-related legal mail, although the requested relief was unrelated to the claims proceeding in the action. His second TRO motion alleged that defendants Danielle Stasiak and Centurion Health denied him medical treatment, but he submitted no supporting evidence and did not clearly identify the relief sought. His declaratory-judgment motion consisted of a single conclusory sentence, and his motion to strike the defendants' response was likewise vague.

PROCEDURAL HISTORY

Loren Gary brought a civil-rights action concerning alleged Legionnaires' contamination of the water at Pendleton Correctional Facility. While the action was pending, he sought emergency injunctive relief, declaratory relief, and to strike the Medical Defendants' opposition to his declaratory-judgment motion. The district court denied the specified motions and warned Gary about inappropriate language in future filings.

DISPOSITION

other

CASES CITED

- Maddox v. Wexford Health Sources, Inc., 528 F. App'x 669, 672 (7th Cir. 2013)
- Pacific Radiation Oncology, LLC v. Queen's Medical Center, 810 F.3d 631, 636 (9th Cir. 2015)
- Dexia Credit Loc. v. Rogan, 602 F.3d 879, 885 (7th Cir. 2010)

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF INDIANA INDIANAPOLIS DIVISION LOREN GARY,)) Plaintiff,)) v.) No. 1:25-cv-01331-JPH-KMB) DENNIS REAGLE, et al.,)) Defendants.) ORDER DENYING PENDING MOTIONS Plaintiff Loren Gary has filed three motions for a temporary restraining order (TRO) and/or preliminary injunction,¹ dks. 28, 33, 35, a motion for declaratory judgment, dkt.

31, and a motion seeking to strike the Medical Defendants' response to the declaratory judgment motion, dkt. 37. For the reasons below, the first two TRO motions and the declaratory judgment motions are DENIED. Dkts.

[28], [31], [33], [37]. The more recent TRO motion remains under advisement. The first TRO motion seems to want to prevent a staff member at Pendleton Correctional Facility, Katelyn McCorkle, from handling any of Mr. Gary's legal mail related to this case. Mr. Gary states that Ms. McCorkle is a "witness/co- conspirator" in this case. Dkt. 28 at 1.

The relief Mr. Gary seeks would be entirely unrelated to the claims that are proceeding in this action, which are related to Legionnaire's contamination of the water at Pendleton. Ms. McCorkle, who ¹ The third motion is labeled the "fourth" motion, but there is no third motion on the docket. necessarily would be affected by any such relief, also is not a defendant in this action.

The Court cannot enter injunctions directing non-parties—such as Ms. McCorkle—to act or refrain from acting, nor can it order injunctive relief that lacks a nexus to the underlying claims. See Maddox v. Wexford Health Sources, Inc., 528 F. App'x 669, 672 (7th Cir. 2013) ("An injunction, like any enforcement action, may be entered only against a litigant, that is, a party that

has been served and is under the jurisdiction of the district court." (cleaned up)); *Pacific Radiation Oncology, LLC v. Queen's Medical Center*, 810 F.3d 631, 636 (9th Cir.

2015) (holding that absent a nexus between underlying claims and request for injunctive relief, district court has no authority to grant injunctive relief). This motion is DENIED. Dkt. [28]. The second TRO motion seeks an order against Defendants Danielle Stasiak and Centurion Health, because they have "initiated and executed practice policy that denies treatment to the Plaintiff et al. that serves nothing more than to maliciously and vindictively prolong Plaintiff's pain and suffering."

Dkt. 33. There is no evidence submitted in support of this motion. It is true that "a district court may grant a preliminary injunction based on less formal procedures and on less extensive evidence than a trial on the merits." *Dexia Credit Loc. v. Rogan*, 602 F.3d 879, 885 (7th Cir. 2010). Still, there must be some evidence in support before the Court will consider granting the "extraordinary" remedy of a preliminary injunction.

Moreover, it is unclear precisely what relief Mr. Gary is seeking through this motion, and it is DENIED. Dkt. [33]. Mr. Gary's declaratory judgment motion states in its entirety, "Plaintiff now comes pursuant to Federal Rules of Civil Procedure 57, prays this Court in Equity grant his Motion for Declaratory Judgment in this action in accordance with 28 U.S.C.S. §§ 2201."

Dkt. 31. The Medical Defendants in this action filed a response, arguing in part that the motion is deficient under Fed. R. Civ. P. 7(b)(1)(B) because it does not "state with particularity the grounds for seeking the order." Dkt. 34. Mr. Gary's motion to strike this response states, "Plaintiff moves to strike the Defendant(s) motion of opposition as it violates the Plaintiff's Constitutional rights of which are absolute."

Dkt. 37. The Court agrees that Mr. Gary's declaratory judgment motion does not adequately state upon what grounds it would be appropriate to issue a declaratory judgment at this stage of the proceedings. Moreover, his motion to strike is equally vague as to how the Medical Defendants' opposition to his motion violates his constitutional rights.

The motions for declaratory judgment and motion to strike the response in opposition to that motion are DENIED. Dkts. [31], [37]. As noted, the third (fourth) TRO motion remains under advisement at this time. The Court notes, however, that the motion refers to some or all of the Defendants as "corpulent [sic] swine headed individuals...." Dkt. 35 at 3. Such descriptive language is inappropriate and does nothing to further the Court's resolution of the issues presented.

The Court warns Mr. Gary that any future filings using such language may be stricken and/or summarily denied. SO ORDERED. Date: 12/16/2025 SJamu Patrick tawlor- James Patrick Hanlon United States District Judge Southern District of Indiana Distribution: All ECF-registered counsel of record via email LOREN GARY 251375 PENDLETON - CF PENDLETON

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