

**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.

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
CORRECTIONAL FACILITY Inmate Mail/Parcels 4490 West Reformatory Road PENDLETON,
IN 46064 Michael J. Bently BRADLEY ARANT BOULT CUMMINGS LLP One Jackson Place
188 E Capitol Street Suite 1000 Jackson, MS 39201

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