

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA, LAKE CHARLES DIVISION

Hugh Brian Street v. Chuck Christ et al.

Street · No. 2:25-CV-01882 · Decided December 1, 2025

SUMMARY

The court denies Plaintiff Hugh Brian Street’s emergency motion for a temporary restraining order and preliminary injunction seeking to preserve possible video evidence of an incident involving Louisiana State Police officials. The court discusses the duty to preserve evidence and spoliation but finds no indication that court intervention is warranted because the evidence may already have been preserved and its existence is uncertain.

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Lake Charles Division
JURISDICTION	United States District Court for the Western District of Louisiana, Lake Charles Division
DECIDED	December 1, 2025
DOCKET	2:25-CV-01882
DISPOSITION	denied
PROCEDURAL POSTURE	Plaintiff moved for an emergency temporary restraining order and preliminary injunction to preserve potentially relevant video evidence concerning the incident underlying the action.
STANDARD OF REVIEW	The court did not articulate a formal standard of review for the motion. It applied principles governing the duty to preserve evidence and determined that court intervention was not warranted on the record presented.
PRECEDENTIAL VALUE	Unpublished district-court memorandum order; precedential status unknown.
PARTIES	Hugh Brian Street v. Chuck Christ et al.

TOPICS

- injunctions
- evidence
- civil procedure

PRACTICE AREAS

Civil procedure

Evidence

Injunctive relief

Spoliation and preservation of evidence

QUESTIONS PRESENTED

1. Whether Plaintiff was entitled to emergency injunctive relief requiring preservation of potentially relevant video recordings.
2. Whether the record established a sufficient preservation concern or duty warranting court intervention.

HOLDINGS

1. The court denied Plaintiff's Emergency Motion for Temporary Restraining Order and Preliminary Injunction because the record did not show that the preservation request had not been honored, that the recordings existed or had existed, or that judicial intervention was warranted.

KEY QUOTATIONS

*"The duty to preserve 'arises when a party has notice that the evidence is relevant to litigation or ... should have known that the evidence may be relevant to future litigation. Generally, the duty to preserve extends to documents or tangible things ... by or to individuals likely to have discoverable information that the disclosing party may use to support its claims or defenses.'" (*7-*8)*

*"'Spoliation' of evidence 'refers to the destruction or material alteration of evidence or to the failure to preserve property for another's use as evidence in pending or reasonably foreseeable litigation.'" (*3)*

FACTUAL BACKGROUND

Shortly after the incident underlying his claims, Plaintiff apparently sent correspondence to Louisiana State Penitentiary officials requesting preservation of video recordings of the incident. The record did not indicate that the request had been disregarded, nor did it establish whether the recordings existed or had existed. Based on that uncertainty, the court found no basis for intervention to preserve potentially relevant evidence.

PROCEDURAL HISTORY

The action was pending in the Western District of Louisiana when Plaintiff filed the emergency motion. The court found no indication that the preservation request had not been honored, or that the recordings existed or had existed, and denied the motion.

DISPOSITION

denied

CASES CITED

- Quantlab Technologies Ltd. (BGI) v. Godlevsky, 2014 U.S. Dist. LEXIS 20305, 2014 WL 651944, *7-*8 (S.D. Tex. Feb. 19, 2014)

- Andra Group, LP v. JDA Software Group, Inc., 2015 U.S. Dist. LEXIS 182527, 2015 WL 12731762, *15 (N.D. Tex. Dec. 9, 2015)
- Silvestri v. General Motors Corp., 271 F.3d 583 (4th Cir. 2001)
- Rimkus Consulting Group, Inc. v. Cammarata, 688 F. Supp. 2d 598, 612 (S.D. Tex. 2010)
- Dixon v. Greyhound Lines, Inc., 2014 U.S. Dist. LEXIS 159714, 2014 WL 6087226, *3 (M.D. La. Nov. 13, 2014)

OPINION

WESTERN DISTRICT OF LOUISIANA LAKE CHARLES DIVISION HUGH BRIAN STREET CASE NO. 2:25-CV-01882 VERSUS JUDGE JAMES D. CAIN, JR. CHUCK CHRIST ET AL MAGISTRATE JUDGE LEBLANC MEMORANDUM ORDER Before the Court is “Plaintiff’s Emergency Motion for Temporary Restraining Order and Preliminary Injunction” (Doc. 3) wherein pro se Plaintiff, Hugh Brian Street appears to move to preserve certain evidence.

Courts have a right to expect that litigants and counsel will take the necessary steps to ensure that relevant records are preserved when litigation is reasonably anticipated, and that such records are collected, reviewed, and produced to the opposing party." Quantlab Technologies Ltd. (BGI) v. Godlevsky, 2014 U.S. Dist. LEXIS 20305, 2014 WL 651944, *7 (S.D.

Tex. Feb. 19, 2014) (citation omitted). "The duty to preserve 'arises when a party has notice that the evidence is relevant to litigation or... should have known that the evidence may be relevant to future litigation. Generally, the duty to preserve extends to documents or tangible things... by or to individuals likely to have discoverable information that the disclosing party may use to support its claims or defenses.'" 2014 U.S. Dist.

LEXIS 20305 [WL] at *8 (citations omitted). This duty may extend to a non-party to a proceeding when there is a special relationship involving the non-party or when the non-party enters into an agreement to preserve the evidence sought to be obtained. [*3] See Andra Group, LP v. JDA Software Group, Inc., 2015 U.S. Dist. LEXIS 182527, 2015 WL 12731762, *15 (N.D.

Tex. Dec. 9, 2015) (addressing the obligation of non-parties to preserve evidence and noting that, "[a]bsent some special relationship or duty rising by reason of an agreement, contract, statute, or other special circumstance, the general rule is that there is no duty to preserve possible evidence for another party to aid that other party in some future legal action against a third party" (internal quotation marks omitted)).

"Spoliation" of evidence "refers to the destruction or material alteration of evidence or to the failure to preserve property for another's use as evidence in pending or reasonably foreseeable litigation." See Silvestri v. General Motors Corp., 271 F.3d 583 (4th Cir. 2001). See also Rimkus Consulting Group, Inc. v. Cammarata, 688 F. Supp. 2d 598, 612 (S.D. Tex. 2010).

In the instant case, Plaintiff apparently forwarded correspondence to LSP officials shortly after the incident complained of and requested that any video recordings of the incident be preserved. There is no indication in the record that Plaintiff's request was not complied with or even whether such recordings exist or existed. See *Dixon v. Greyhound Lines, Inc.*, 2014 U.S. Dist.

LEXIS 159714, 2014 WL 6087226, *3 (M.D. La. Nov. 13, 2014) (collecting cases addressing the obligation to preserve video evidence or an accident or incident). Further, there is no indication that intervention by the Court is warranted to preserve evidence that may or may not have been retained.

Accordingly, IT IS ORDERED that Plaintiff's Emergency Motion for Temporary Restraining Order and Preliminary Injunction” (Doc. 3) is DENIED. THUS DONE AND SIGNED in chambers on this 1st day of December, 2025. UNITED STATES DISTRICT JUDGE Page 2 of 2