

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Reed-Bey v. Guo

Reed-Bey · No. 2:25-cv-01880-DAD-CKD (PS) · Decided July 22, 2025

SUMMARY

The document contains findings and recommendations by a United States magistrate judge recommending denial of Kevin Joseph Reed-Bey’s motion for a preliminary injunction. The recommendation concludes that the motion was procedurally defective under the Eastern District of California’s local rules and failed to establish likelihood of success on the merits or imminent irreparable harm.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Carolyn K. Delaney
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 22, 2025
DOCKET	2:25-cv-01880-DAD-CKD (PS)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for emergency relief under Federal Rule of Civil Procedure 65, seeking a preliminary injunction to prevent enforcement of an allegedly void Solano County Superior Court unlawful-detainer default judgment and to restore possession of an estate. The magistrate judge issued findings and recommendations recommending denial of the motion.
STANDARD OF REVIEW	A preliminary injunction requires a clear showing that the movant is entitled to extraordinary relief, including a likelihood of success on the merits, a likelihood of irreparable harm absent relief, a favorable balance of equities, and consistency with the public interest. The court also considered the Ninth Circuit's serious-questions/balance-of-hardships formulation, while requiring a significant threat of irreparable injury under any formulation.
PRECEDENTIAL VALUE	Unknown; findings and recommendations in a district-court case, with no reported citation.

PARTIES

Kevin Joseph Reed-Bey v. Bingyan Guo, Linmao Sun, Benjamin Huang, Rising Investments, LLC

TOPICS

injunctions

civil procedure

landlord tenant

default judgment

equitable relief

PRACTICE AREAS

civil procedure

injunctive relief

real estate litigation

QUESTIONS PRESENTED

1. Whether plaintiff's request for emergency relief should be construed as a motion for preliminary injunction under Federal Rule of Civil Procedure 65.
2. Whether the motion should be denied for failure to comply with the court's local procedural requirements for preliminary-injunction applications.
3. Whether plaintiff established the requirements for preliminary injunctive relief, including likelihood of success on the merits and a significant threat of irreparable injury.

HOLDINGS

1. A preliminary-injunction motion may be denied when the movant fails to comply with applicable local-rule requirements, including filing a brief addressing relevant legal issues, affidavits supporting irreparable injury, a proposed order containing a bond provision, and serving the adverse party as required.
2. A movant seeking a preliminary injunction bears the burden of demonstrating a likelihood of success on the merits or, under the Ninth Circuit's alternative formulation, serious questions going to the merits together with a favorable balance of hardships; plaintiff failed to meet that burden.
3. A preliminary-injunction movant must demonstrate a significant, immediate, and non-speculative threat of irreparable injury; plaintiff failed to do so.

KEY QUOTATIONS

"A plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest." (at 2)

"A preliminary injunction is an extraordinary remedy that may be awarded only upon a clear showing that the movant is entitled to relief." (at 2)

"Speculative injury does not constitute irreparable injury sufficient to warrant granting a preliminary injunction." (at 4)

FACTUAL BACKGROUND

Plaintiff challenged a Solano County Superior Court judgment styled as an unlawful-detainer default and sought to have it declared void and possession of an estate restored. He filed a document requesting immediate injunctive protection against further enforcement of that judgment. The motion did not include the required brief, affidavit addressing irreparable injury, or a proposed order with a bond provision, and the record did not establish that defendants had been served with the motion. The motion also supplied no legal authority or evidence demonstrating likely success or imminent irreparable harm.

PROCEDURAL HISTORY

Plaintiff filed a fee-paid federal complaint on July 3, 2025, against four defendants, challenging an unlawful-detainer default judgment entered by the Solano County Superior Court. Plaintiff filed a notice and invocation of constitutional injunctive authority on July 16, 2025, which the court construed as a motion for preliminary injunction. The magistrate judge recommended denying the motion because it failed to comply with applicable local-rule requirements and failed to establish likelihood of success or irreparable harm. The findings and recommendations were submitted to the assigned district judge under 28 U.S.C. § 636(b)(1), subject to objections.

DISPOSITION

other

CASES CITED

- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20, 22, 24 (2008)
- Alliance for the Wild Rockies v. Cottrell, 632 F.3d 1127, 1131-32 (9th Cir. 2011)
- Drakes Bay Oyster Co. v. Jewell, 747 F.3d 1073, 1085 (9th Cir. 2014)
- Oakland Tribune, Inc. v. Chronicle Publishing Co., Inc., 762 F.2d 1374, 1376 (9th Cir. 1985)
- Tri-Valley CAREs v. U.S. Department of Energy, 671 F.3d 1113, 1131 (9th Cir. 2012)
- Nible v. Macomber, No. 2:24-cv-01259-DJC-CSK-PC, 2024 WL 2133319, at *2 (E.D. Cal. May 13, 2024)
- Baird v. Bonta, 81 F.4th 1036, 1044 (9th Cir. 2023)
- Los Angeles Memorial Coliseum Commission v. [name illegible] Football League, 634 F.2d 1197, 1201 (9th Cir. 1980)
- FDIC v. Garner, 125 F.3d 1272, 1279 (9th Cir. 1997)
- Caribbean Marine Services Co. v. Baldrige, 844 F.2d 668, 674 (9th Cir. 1988)
- Turner v. Duncan, 158 F.3d 449, 455 (9th Cir. 1998)
- Martinez v. Ylst, 951 F.2d 1153, 1156-57 (9th Cir. 1991)