

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

ANTHONY WAYNE OLIPHANT
v.
WARDEN ANGEL QUIROS, et al.

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PRISONER
Case No. 3:09cv1771(VLB)

RULING ON PETITIONER’S MOTION TO SUPPLEMENT [Doc. #16]

The petitioner seeks leave to supplement his motion for temporary restraining order and preliminary injunction, in which he sought mental health treatment and a transfer out of Northern Correctional Institution, with allegations that he received disciplinary sanctions for refusing to advance to Phase Two of the Administrative Segregation Program. For the reasons that follow, the petitioner’s motion to supplement is granted, but the requested injunctive relief is denied.

As the Court explained in the ruling denying injunctive relief, the petitioner must establish a relationship between the injury claimed in the motion seeking injunctive relief and the conduct giving rise to the action. Omega World Travel, Inc. v. Trans World Airlines, 111 F.3d 14, 16 (4th Cir. 1997) (reversing district court’s granting of motion for preliminary injunctive relief because injury sought to be prevented through preliminary injunction was unrelated and contrary to injury which gave rise to complaint).

In this action, the petitioner challenges the constitutionality of his conviction

for violation of probation. He seeks preliminary injunctive relief on claims concerning the issuance of disciplinary reports and sanctions. These claims are not raised in the petition. Thus, the relief requested in the motion to supplement is not related to the claims raised in the petition and the request for preliminary injunctive relief is denied. As the Court indicated in the prior ruling, the petitioner should address these issues in his pending civil rights action.

The petitioner's motion to supplement his motion for temporary restraining order and preliminary injunction [Doc. #16] is GRANTED but the requested preliminary injunctive relief is DENIED.

IT IS SO ORDERED.

/s/

Vanessa L. Bryant
United States District Judge

Dated at Hartford, Connecticut: May 19, 2010.