

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
LUBBOCK DIVISION

RAJIN PATEL,

Plaintiff,

V.

TEXAS TECH UNIVERSITY, et al.,

Defendants.

Civil Action No. 5:17-CV-174-C

ORDER

On this day, the Court considered Plaintiff's Motion for Preliminary Injunction, filed July 25, 2017, and Defendants' Response in Opposition (and supporting brief), filed September 1, 2017.¹ The Court held an evidentiary hearing on the Motion for Preliminary Injunction on December 11, 2017. The Court has further considered the evidence and testimony admitted at that hearing, together with Defendants' Proposed Findings of Facts and Conclusions of Law, filed December 15, 2017, and Plaintiff's Proposed Findings of Fact and Conclusions of Law, filed December 17, 2017.

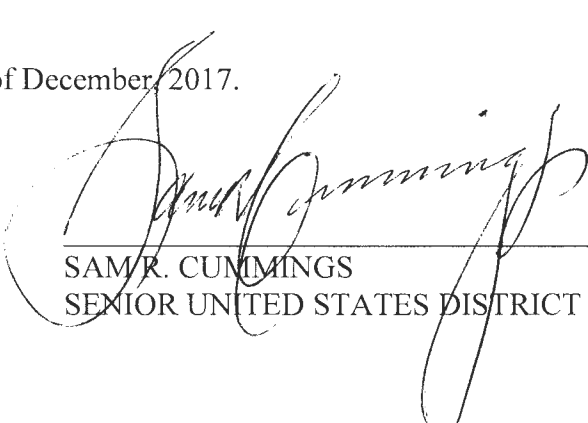
The Court is of the opinion that Defendants' Proposed Findings of Facts and Conclusions of Law should be **ADOPTED** as the findings and conclusions of the Court.

A preliminary injunction should issue only if Plaintiff, Rajin Patel, can establish: (1) a substantial likelihood of success on the merits; (2) a substantial threat of irreparable injury if the

¹As explained in the Court's Order of November 1, 2017, part of this case is currently stayed pending Defendants' interlocutory appeal. Plaintiff's Motion for Preliminary Injunction, however, is brought against only the individual Defendants in their official capacities and this Court has jurisdiction to proceed with that Motion. *See* Order, ECF No. 39.

injunction is not issued; (3) that the threatened injury if the injunction is denied outweighs any harm that will result if the injunction is granted; and (4) that the grant of an injunction will not disserve the public interest. *Texas v. United States*, 809 F.3d 134, 151 (5th Cir. 2015). For the reasons thoroughly set forth in Defendants' Proposed Findings and Conclusions (adopted as the Court's findings and conclusions) and in Defendants' Response in Opposition to Plaintiff's Motion for Preliminary Injunction, the Court finds that: (1) Patel is not likely to succeed on the merits of his claims against the individual Defendants in their official capacities; (2) there is no threat of immediate or irreparable injury to Plaintiff; (3) any alleged injury to Plaintiff is significantly outweighed by the harm to the Defendants; and (4) the public interest weighs against granting a preliminary injunction. Accordingly, Plaintiff's Motion for Preliminary Injunction is **DENIED**.

SO ORDERED this 18th day of December, 2017.



SAM R. CUMMINGS
SENIOR UNITED STATES DISTRICT JUDGE