

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF ARKANSAS  
DELTA DIVISION**

**EDRIN ALLEN**

**PLAINTIFF**

**VS.**

**NO. 2:20-cv-132 BSM**

**GIBBS FERGUSON in his official capacity as  
City Attorney for McGehee; LARRY ALLEN  
in his official capacity as Sheriff for Desha County;  
SARAH FARRAR-PHILLIPS in her official  
capacity as Chief Clerk of the 27<sup>th</sup> State District Court  
(McGehee Department); and HENRY PENNY**

**DEFENDANTS**

**PLAINTIFF'S  
MOTION FOR TEMPORARY RESTRAINING ORDER AND  
PRELIMINARY INJUNCTION**

Comes now Plaintiff Edrin Allen, by and through his attorneys, and for his Motion for Temporary Restraining Order and Preliminary Injunction, states:

1. Plaintiff moves that a temporary restraining order to be issued immediately and without notice, on the ground that ten days have lapsed since the he was served with a ten day notice that he must vacate his home or face criminal prosecution.

2. As the criminal prosecution can commence as early as today, immediate and irreparable injury, loss and damage will result to Plaintiff—including a violation of his constitutional rights and the risk of homelessness—before notice can be given and the defendants or the defendants attorney(s) can be heard in opposition, as is more fully explained in the Plaintiff's Complaint and in the affidavit attached to this motion.

3. Plaintiff also seeks the entry of a preliminary injunction to extend the request requested via temporary restraining order through the pendency of this case.

4. Plaintiff asks that the preliminary injunction be issued without bond, as the Defendants will suffer no monetary injury if preliminary relief is issued.

5. Therefore, for the reasons set forth more fully in his Complaint, the Exhibits attached hereto and the Brief in Support of this Motion, Plaintiff requests a Temporary Restraining Order and Preliminary Injunction prohibiting Defendants from initiating and pursuing criminal proceedings against Plaintiff in an attempt to evict Plaintiff from his home, and for other relief as the Court deems equitable and just.

Respectfully submitted,

*/s/ Amy Pritchard*

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*On behalf of the Arkansas Civil Liberties Union  
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