

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

Duran v. Apodaca



PC-NM-001-041

DWIGHT DURAN, et al.,  
Plaintiffs,

vs.

CIVIL No. 77-0721-JC

GARY JOHNSON, et al.,  
Defendants.

ORDER

The Court having considered Plaintiffs' Motion for a Temporary Restraining Order filed on January 29, 1996, and being otherwise fully advised in the premises, finds that there exists a substantial likelihood that the Plaintiffs will prevail on the merits, that Plaintiffs have shown that they will suffer irreparable injury, that the threatened injury to Plaintiffs outweighs whatever damage the proposed restraining order may cause Defendants and that the granting of a restraining order will not be adverse to the public interest; that therefore Plaintiffs' Motion for a Temporary Restraining Order is well-taken,

IT IS ORDERED, ADJUDGED AND DECREED as follows:

1. Defendants be, and they hereby are, restrained from transferring any inmate currently housed at the PNM-Main Santa Fe Facility to the Tarrant County, Texas or Dallas County, Texas jails.
2. Defendants be, and they hereby are, restrained from transferring any inmate currently housed at any Duran facility to

the Tarrant County, Texas or Dallas County, Texas jail facilities.

3. Defendants be, and they hereby are, restrained from housing any inmates at the PNM-Main Facility, regardless of classification, unless each inmate is afforded the protections described in the Court's Modified Decree.

Date this 31st day of January, 1996.

JOHN E. CONWAY

United States District Judge

JMHD1778