IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH

JANUARY WALKER, Plaintiff, v. CHRIS WRIGHT, Secretary of Energy, in his official capacity, et al., Defendants.	**ORDER DENYING MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION** Case No. 2:26-cv-00291 District Judge Ann Marie McIff Allen Magistrate Judge Dustin B. Pead

On April 8, 2025, Plaintiff January Walker filed a Motion for Temporary Restraining Order and Preliminary Injunction ("Motion").[1] Plaintiff's Motion asks this Court to enter an order enjoining various activities and mandating others, all related to a purportedly forthcoming nuclear-power project at the Utah San Rafael Energy Lab in Emery County, Utah.[2]

The Court denies the Motion without prejudice because Plaintiff has not met her burden to show she is entitled to the extraordinary remedy of a temporary restraining order or preliminary injunction. "[T]he factors considered in ruling on a temporary restraining order mirror those on motions for a preliminary injunction . . . ." § 2951 Temporary Restraining Orders—In General, 11A Fed. Prac. & Proc. Civ. § 2951 (3d ed.), *but see* Fed. R. Civ. P. 65(b)(1) (listing additional requirements for obtaining a temporary restraining order without notice to the

[1] ECF No. 6. On December 22, 2025, Plaintiff filed a Motion for Emergency Consideration, requesting expedited consideration of the Motion. ECF No. 7.

[2] *See* ECF No. 6 at 10–12.

party sought to be enjoined). A party seeking a preliminary injunction must show: "(1) that she's substantially likely to succeed on the merits, (2) that she'll suffer irreparable injury if the court denies the injunction; (3) that her threatened injury (without the injunction) outweighs the opposing party's under the injunction, and (4) that the injunction isn't adverse to the public interest." *Mrs. Fields Franchising, LLC v. MFGPC*, 941 F.3d 1221, 1232 (10th Cir. 2019) (quotation marks omitted). "A preliminary injunction is an extraordinary remedy, the exception rather than the rule." *Id.* To obtain the extraordinary remedy of a preliminary injunction, "the right to relief must be clear and unequivocal." *Kansas Health Care Ass'n, Inc. v. Kansas Dep't of Soc. & Rehab. Servs.*, 31 F.3d 1536, 1543 (10th Cir. 1994).

Here, Plaintiff fails to meet her burden to establish a clear and unequivocal entitlement to emergency injunctive relief. While Plaintiff's filing contains interesting scientific ideas and citations to various statutes Plaintiff believes have been violated, Plaintiff fails to provide logical or evidentiary connections between Defendants' contemplated actions (or inaction) and any harm to Plaintiff.[3] While the Court understands from Plaintiff's Complaint that she is concerned about the impact of a proposed nuclear energy program, and she doubts the project received adequate governmental review, Plaintiff has not distilled these concerns to a point that would justify her request for broad, immediate, emergency injunctive relief as requested in the Motion.

[3] In discussing the deficiencies in Plaintiff's filings, the Court is mindful to construe her pleadings liberally. *Hall v. Bellmon*, 935 F.2d 1106, 1110 (10th Cir. 1991). Nonetheless, "*pro se* status does not excuse the obligation of any litigant to comply with the fundamental requirements of the Federal Rules of Civil . . . Procedure." *Ogden v. San Juan Cnty.*, 32 F.3d 452, 455 (10th Cir. 1994). Further, the Court is cognizant that it must not "assume the role of advocate for the pro se litigant." *Hall* at 1110. Accordingly, the Court will not advance arguments that Plaintiff does not raise, nor can it award her injunctive relief on a lesser showing than what is required under Rule 65.

Perhaps chief among the difficulties with the Motion is that several issues Plaintiff raises appear to implicate the rights of third parties, which rights Plaintiff is not eligible to vindicate. For example, Plaintiff seeks to stop "the thermodynamic consequences of nuclear deployment in the Great Salt Lake terminal basin–the primary water supply for 80 percent of Utah's population" and to vindicate the rights of "35 to 40 million people across seven states."[4] To accomplish these goals, she seeks, in part, an injunction compelling various government agencies to take various actions. These statements and requests raise questions about Plaintiff's standing.

Standing is a fundamental limitation on the Court's power requiring Plaintiff to show she has "such a personal stake in the outcome of the controversy' as to warrant [her] invocation of federal-court jurisdiction." *Summers v. Earth Island Inst.*, 555 U.S. 488, 493 (2009). "To seek injunctive relief, a plaintiff must show that [s]he is under threat of suffering 'injury in fact' that is concrete and particularized; the threat must be actual and imminent, not conjectural or hypothetical; it must be fairly traceable to the challenged action of the defendant; and it must be likely that a favorable judicial decision will prevent or redress the injury." *Id.* "[W]hen the plaintiff is not [her]self the object of the government action or inaction [s]he challenges, standing is not precluded, but it is ordinarily 'substantially more difficult' to establish." *Id.*

Here, even assuming Plaintiff might have standing to bring some claim against Defendants, her standing to pursue the broad injunctive relief she seeks is in serious doubt. Primarily, Plaintiff's filings do not adequately demonstrate any concrete and particularized harm

[4] ECF No. 6 at 5–6.

suffered by Plaintiff.[5] She does not suggest that she is the subject of any government regulation or action. Likewise, she is not seeking relief limited to her personal interactions with the Defendants. Instead, the filings refer to anticipated consequences to a large population of people living in the state of Utah and six other states. The Supreme "Court has held that when the asserted harm is a 'generalized grievance' shared in substantially equal measure by all or a large class of citizens, that harm alone normally does not warrant exercise of jurisdiction." *Warth v. Seldin*, 422 U.S. 490, 499 (1975). In its present form, the Motion describes such a generalized grievance, seeking to vindicate the rights of others, not Plaintiff herself. Accordingly, the Court will deny Plaintiff's request for injunctive relief because her broad requests are not justified by any personal stake in this litigation, and instead relate to events that pose more generalized harm.

Based on the foregoing, the Court denies Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction without prejudice. (ECF No. 6.)

Additionally, the Court FINDS MOOT Plaintiff's Motion for Emergency Consideration, requesting expedited consideration of the Motion. (ECF No. 7.)

DATED this 14th day of April 2026.

BY THE COURT:

Ann Marie McIff Allen
United States District Judge

[5] Additionally, Plaintiff has not shown that harm is "imminent" because she admits she does not know the timeline of the events she seeks to prevent. *See* ECF No. 6 at 8 ("Plaintiff has no means of determining how many days remain before the first irreversible threshold is crossed.").