

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Kellye Strickland,
Plaintiff,

v.

Nicole Rueger, also known as "Nikki," in her individual and official capacity as Clerk of Court;
Elizabeth Clysdale, in her official capacity as District Judge;
Donald Harper, in his individual and official capacity as Court Administrator;
Deputy Corina Loya, in her individual capacity;
Ramsey County Sheriff's Office;
Bridges to Safety; and
John and Jane Does 1–10,

Defendants.

Case No.:

MEMORANDUM OF LAW IN SUPPORT OF PLAINTIFF'S MOTION FOR PRELIMINARY INJUNCTION

INTRODUCTION

Plaintiff Kellye Strickland respectfully submits this Memorandum of Law in support of her Motion for Preliminary Injunction pursuant to Federal Rule of Civil Procedure 65. Plaintiff seeks immediate injunctive relief to prevent further irreparable harm caused by unconstitutional state action and administrative inaction by officials of Ramsey County.

LEGAL STANDARD

A preliminary injunction is warranted when the movant demonstrates: (1) a likelihood of success on the merits; (2) a likelihood of irreparable harm in the absence of preliminary relief; (3) that the balance of equities tips in the movant's favor; and (4) that an injunction is in the public interest. **Winter v. Natural Resources Defense Council, Inc.**, 555 U.S. 7, 20 (2008).

The Eighth Circuit follows the same standard. See **Planned Parenthood Minnesota, N.D., S.D. v. Rounds**, 530 F.3d 724, 732 (8th Cir. 2008) (en banc).

ARGUMENT

I. Plaintiff Is Likely to Succeed on the Merits.

Plaintiff has presented substantial evidence of constitutional violations, including:

A Harassment Restraining Order (HRO) issued without valid service, in violation of due process under the Fourteenth Amendment.
Refusal by Ramsey County officials to docket or hear a properly filed and paid civil complaint, denying Plaintiff her First and Fourteenth Amendment right to access the courts.
Failure to accommodate Plaintiff's disability (PTSD and Bipolar Disorder), despite repeated notice, violating Title II of the Americans with Disabilities Act (42 U.S.C. § 12132).

These are well-established violations actionable under 42 U.S.C. Section 1983.
See **Bounds v. Smith**, 430 U.S. 817, 821 (1977) (right of access to courts);
Mathews v. Eldridge, 424 U.S. 319 (1976) (procedural due process);
Tennessee v. Lane, 541 U.S. 509 (2004) (ADA public services).

II. Plaintiff Will Suffer Irreparable Harm Without an Injunction.

Plaintiff remains subject to an HRO issued without proper notice, which publicly brands her as dangerous and continues to damage her safety, employment opportunities, and mental health. She has experienced stalking, online harassment, weight loss, hair loss, insomnia, and panic attacks.

Courts recognize that ongoing constitutional violations, reputational damage, and harm to legal standing constitute irreparable harm. See **Elrod v. Burns**, 427 U.S. 347, 373 (1976); **Doe v. Duncanville ISD**, 70 F.3d 402, 406 (5th Cir. 1995).

III. The Balance of Equities Favors Plaintiff.

Plaintiff seeks only to restore her constitutional rights and protect her from continued unlawful state action. The requested injunction imposes no undue burden on Defendants; rather, it requires them to act in accordance with basic legal obligations and court procedure.

IV. Injunctive Relief Is in the Public Interest.

Granting this motion would uphold constitutional due process, ensure the integrity of court systems, and affirm the rights of disabled individuals to equitable treatment. See **Pike v. Hester**, 891 F.2d 235, 241 (8th Cir. 1989).

CONCLUSION

Plaintiff has demonstrated a likelihood of success on the merits, ongoing irreparable harm, a favorable balance of hardships, and that the public interest supports injunctive relief. Plaintiff respectfully requests that the Court grant the preliminary injunction as outlined in her Motion.

Respectfully submitted,

Dated:

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