

**United States Court of Appeals**  
**FOR THE EIGHTH CIRCUIT**

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No. 08-3430

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Robert L. Follis and Georgia K. Follis,	*	
	*	
Appellants,	*	
	*	Appeal from the United States
v.	*	District Court for the
	*	District of Minnesota.
State of Minnesota, Human Services	*	
Department and Military Affairs	*	[UNPUBLISHED]
Department; County of Morrison,	*	
Human Services Department; County	*	
of Todd, Human Services Department,	*	
	*	
Appellees.	*	

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Submitted: June 16, 2009  
Filed: June 24, 2009

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Before BYE, COLLOTON, and GRUENDER, Circuit Judges.

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PER CURIAM.

In the context of their federal civil-rights action, Robert Follis and Georgia Follis filed a “motion for permanent injunction” and a “motion for emergency restraining order,” seeking in both to prevent their eviction from state-owned property

prior to resolution of their underlying case. The district court<sup>1</sup> interpreted the first motion as a motion for a preliminary injunction and denied it without prejudice and also denied the “motion for emergency restraining order” with prejudice. This appeal followed.

We lack jurisdiction to consider the denial of a motion for a temporary restraining order. See Hamm v. Groose, 15 F.3d 110, 112 (8th Cir. 1994). Reviewing the denial of the motion for a preliminary injunction, we find no abuse of discretion. See Grand River Enters. Six Nations, Ltd. v. Beebe, 467 F.3d 698, 701 (8th Cir. 2006) (standard of review).

Accordingly, we affirm the denial of preliminary injunctive relief for the reasons stated by the district court. See 8th Cir. R. 47B.

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<sup>1</sup>The Honorable John R. Tunheim, United States District Judge for the District of Minnesota, adopting the report and recommendations of the Honorable Raymond L. Erickson, United States Magistrate Judge for the District of Minnesota.