

947 N.W.2d 431 (Mem)
Supreme Court of Michigan.

WAYNE COUNTY JAIL INMATES,
Plaintiffs-Appellants,
v.
William LUCAS as Wayne County Sheriff, Wayne
County Commission, and Wayne County
Executive, Defendants-Appellees.

SC: 161728
|
COA: 354075
|
August 28, 2020

Wayne CC: 71-173217-CZ

Cavanagh, J. (concurring).

I agree with this Court’s order denying plaintiffs’ application for leave to appeal. Injunctive relief is “an extraordinary remedy” appropriately granted when “there is no adequate remedy at law ...” *Pontiac Fire Fighters Union Local 376 v. Pontiac*, 482 Mich. 1, 8, 753 N.W.2d 595 (2008) (quotation marks and citations omitted). A consent order regarding conditions in the Wayne County Jail currently exists between the parties. On May 18, 2020, the parties stipulated to an amended consent order wherein defendants agreed to undertake and/or continue to implement various measures in response to the COVID-19 pandemic. Many of plaintiffs’ claims are that defendants are not complying with the measures agreed to as part of the amended consent order. If defendants have failed to actually implement those agreed-upon measures, plaintiffs may file a show-cause motion seeking the trial court’s enforcement of the amended consent order. As plaintiffs have this legal remedy available, the trial court did not abuse its discretion when it denied plaintiffs’ motion for a temporary restraining order or preliminary injunction.

Order

On order of the Court, the motion for immediate consideration is GRANTED. The application for leave to appeal the July 24, 2020 order of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

McCormack, C.J., joins the statement of Cavanagh, J.

All Citations

947 N.W.2d 431 (Mem)