UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

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| LA'SHADION SHEMWELL, ET AL. | § | |
| | § | |
| v. | § | CIVIL NO. 4:20-CV-687-SDJ |
| | § | |
| CITY OF MCKINNEY, TEXAS | § | |

**ORDER**

Before the Court is Defendant City of McKinney, Texas's Motion to Dismiss Under Rule 12(b)(6) and Brief in Support. (Dkt. #3). A hearing on the motion is now **set** for **October 22, 2020, at 9:30 a.m.**, in Room 105 of the United States Courthouse, 7940 Preston Road, Plano, Texas, 75024.

Additionally, in their complaint Plaintiffs request injunctive relief concerning the recall election involving Plaintiff La'Shadion Shemwell on November 3, 2020. (Dkt. #1 at 16). However, Plaintiffs have inexplicably failed to file a motion for a preliminary injunction. *See* Local Rule CV-65 ("An application . . . for a preliminary injunction shall be made on an instrument separate from the complaint.").

It is therefore **ORDERED** that, if Plaintiffs seek injunctive relief prior to the referenced election, they must file a motion for a preliminary injunction. Any such motion should be filed on or before **October 9, 2020**. If a preliminary injunction motion is filed, it will be considered at the October 22 hearing in addition to Defendant's dismissal motion.

**So ORDERED and SIGNED this 6th day of October, 2020.**

SEAN D. JORDAN
UNITED STATES DISTRICT JUDGE