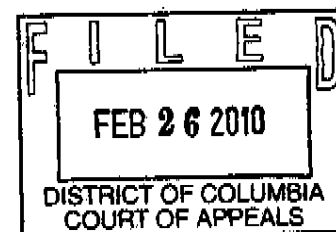


**District of Columbia
Court of Appeals**



No. 10-CV-177

HARRY R. JACKSON, *et al.*

Appellants,

v.

2010 CAB 740

DISTRICT OF COLUMBIA
BOARD OF ELECTIONS AND
ETHICS, *et al.*

Appellees.

BEFORE: Kramer and Thompson, Associate Judges, and Steadman, Senior Judge.

J U D G M E N T

On consideration of the notice of appeal that is taken from the trial court's order denying a preliminary injunction, appellants' motion for emergency appeal, construed as motion to expedite, appellants' motion for injunctive relief pending appeal, the District of Columbia's motion for expedited consideration of its motion for summary affirmance, the District of Columbia's motion for summary affirmance and the opposition thereto, it is

ORDERED that the motions for expedited consideration of the motion for injunctive relief and summary affirmance are granted. It is


FURTHER ORDERED that appellants' motion for injunctive relief is denied since appellants have failed to meet the test for the issuance of a preliminary injunction. *See Akassy v. Wm. Penn Apartments, L.P.*, 891 A.2d 291, 309 (D.C. 2006) (citing *In re Antioch Univ.*, 418 A.2d 105, 109 (D.C. 1980)); *Zirkle v. District of Columbia*, 830 A.2d 1250, 1255-56 (D.C. 2003), and *Wieck v. Sterenbuch*, 350 A.2d 384 at 387 (D.C. 1976). (The issuance of a preliminary injunction is proper when the moving party has clearly shown: "(1) that there is a substantial likelihood he will prevail on the merits; (2) that he is in danger of suffering irreparable harm during the pendency of the action; (3) that more harm will result to him from the denial of the injunction than will result to the defendant from its grant; and, in appropriate cases, (4) that the public interest will not be disserved by the issuance of the requested order."). It is

FURTHER ORDERED that the District's motion for summary affirmance of the trial court's order denying a preliminary injunction is hereby granted since appellants failed to meet the test for the issuance of a preliminary injunction. *See* authorities cited above. It is

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FURTHER ORDERED and ADJUDGED that the trial court's order denying a preliminary injunction is hereby affirmed.

FOR THE COURT:


GARLAND PINKSTON, JR.
Clerk of the Court

Copies to:

Honorable Brian Holeman

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