

DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. THOMAS AND ST. JOHN

HONORABLE MICHAEL C. DUNSTON, in)
his official capacity as)
Presiding Judge of the Superior)
Court of the Virgin Islands,)
) Criminal No. 2016-38
Plaintiff,)
)
v.)
)
HONORABLE KENNETH MAPP, in his)
official capacity as Governor of)
the Virgin Islands; and the)
HONORABLE HAROLD W.L. WILLOCKS,)
strictly as an interested party,)
)
Defendants.)
)

ATTORNEYS:

Edward L. Barry, Esq.

Christiansted, VI

*For the Honorable Michael C. Dunston, in his official
capacity as Presiding Judge of the Superior Court of the
Virgin Islands.*

Claude Walker, AG

Carol Thomas-Jacobs, AAG

Virgin Islands Department of Justice

Christiansted, VI

*For the Honorable Kenneth Mapp, in his official capacity as
Governor of the Virgin Islands*

ORDER

GÓMEZ, J.

Before the Court is the motion of Judge Michael Dunston to
extend the Court's temporary restraining order.

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On June 24, 2016, the Court issued an order enjoining "Governor Kenneth Mapp . . . from removing Judge Michael Dunston from the position of Presiding Judge of the Superior Court of the Virgin Islands." ECF No. 22, at 2. The Court provided that the injunction would "expire fourteen days after the entry of the injunction" *Id.*

Federal Rule of Civil procedure 65 provides, in pertinent part, that:

Every temporary restraining order issued without notice must state the date and hour it was issued; describe the injury and state why it is irreparable; state why the order was issued without notice; and be promptly filed in the clerk's office and entered in the record. The order expires at the time after entry--not to exceed 14 days--that the court sets, unless before that time the court, for good cause, extends it for a like period or the adverse party consents to a longer extension. The reasons for an extension must be entered in the record.

Fed. R. Civ. P. 65(A)(2).

Here, the temporary restraining order was issued with notice on June 24, 2016. Even so, briefs addressing the legal issues in this case were not filed until July 5, 2016. Given the recency of that filing; and given that the grounds for the temporary restraining order continue to exist, the Court finds that more time is required to consider the significant legal issues presented in this case. Accordingly, the Court finds that there is good cause to extend the temporary restraining order.

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The premises considered; it is hereby

ORDERED that the motion to extend the temporary restraining order is **GRANTED**; it is further

ORDERED that Governor Kenneth Mapp is enjoined from removing Judge Michael Dunston from the position of Presiding Judge of the Superior Court of the Virgin Islands; and it is further

ORDERED that the Court's injunction shall expire 14 days after the entry of this order.

S\ _____
CURTIS V. GÓMEZ
District Judge