

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 97-10637

Summary Calendar

CHRISTOPHER DAVID FOY,

Plaintiff-Appellant,

versus

THE UNIVERSITY OF TEXAS AT DALLAS, ET AL.,

Defendants-Appellees.

Appeal from the United States District Court
For the Northern District of Texas
(3:96-CV-3406-P)

May 27, 1998

Before KING, HIGGINBOTHAM, and DAVIS, Circuit Judges.

PER CURIAM:*

Christopher David Foy appeals the district court's denial of his motion for a preliminary injunction. Foy, a former doctoral candidate at the University of Texas at Dallas, sought to enjoin the University from releasing to other colleges and universities information and/or records relating to him. According to Foy, the University took academic and disciplinary action against him that

*Pursuant to 5TH CIR. R. 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in 5TH CIR. R. 47.5.4.

violated his rights, and the information would have painted him in a false light to other schools to which he hoped to transfer. Foy contends to us that the district court erred in determining that Foy had failed to establish the prospect of an irreparable injury, should the injunction not issue.

To be entitled to a preliminary injunction, a movant must demonstrate, among other things, that, absent the injunction, he would be subject to a substantial threat of an irreparable harm. See Sierra Club v. City of San Antonio, 112 F.3d 789, 793 (5th Cir. 1997). Here, Foy has alleged the sort of injuries, e.g., loss of income, loss of time, loss of reputation, for which money damages are appropriate. See Sampson v. Murray, 415 U.S. 61, 90 (1974). The availability of money damages defeats a claim of irreparable injury, and Foy has not demonstrated any exceptional circumstances that would make money damages inappropriate. See DFW Metro Line Serv. v. Southwestern Bell Tel. Co., 901 F.2d 1267, 1269 (5th Cir. 1990). Accordingly, we find that the district court did not abuse its discretion in denying Foy's motion for a preliminary injunction.

AFFIRMED.