

# United States Court of Appeals for the Fifth Circuit

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No. 26-10115  
Summary Calendar

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United States Court of Appeals  
Fifth Circuit

**FILED**

September 11, 2026

Lyle W. Cayce  
Clerk

SAMUEL SAN MIGUEL,

*Plaintiff—Appellant,*

*versus*

MICHAEL SEARCY; MARSHA McLANE; KARA GOUGLER;  
JESSICA MARSH; RACHEAL KINGSTON; CHRIS SALINAS; CHRIS  
GREENWALT; JOHN COCHRAN; WAYNE SMOKER; JASON  
HEATON; GREG SHIRLEY; DAVID BOWERS; CHRISTOPHER  
CATRON; VICTORIA RODRIGUEZ; JAMES CRUZ; MICHAEL  
ARENIVAZ; DEBRA RODRIGUEZ; BRUNO RAMON; ADRIAN  
FLORES; ADAM PIERCE; BRIAN MOSLEY; MICHAEL TERRONES;  
LISA CORREA,

*Defendants—Appellees.*

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Appeal from the United States District Court  
for the Northern District of Texas  
USDC No. 5:25-CV-33

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Before WILLETT, DUNCAN, and ENGELHARDT, *Circuit Judges.*

PER CURIAM:\*

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\* This opinion is not designated for publication. *See* 5TH CIR. R. 47.5.

No. 26-10115

In this interlocutory appeal, Samuel San Miguel, resident # 05687217 at the Texas Civil Commitment Center, appeals the denial of his motion for a preliminary injunction and temporary restraining order. He also appeals the district court's denial of his motion to issue service of process.

Insofar as San Miguel challenges the district court's denial of his request for a temporary restraining order and his request to issue service of process, we lack jurisdiction to review these issues. *See* 28 U.S.C. § 1292; *Askanase v. Livingwell, Inc.*, 981 F.2d 807, 809-10 (5th Cir. 1993); *In re Lieb*, 915 F.2d 180, 183 (5th Cir. 1990). With respect to his argument that the district court erred in denying his request for a preliminary injunction, San Miguel has not demonstrated that he meets the requirements for entitlement to a preliminary injunction. *See Byrum v. Landreth*, 566 F.3d 442, 444-45 (5th Cir. 2009); *Enterprise Int'l, Inc. v. Corporacion Estatal Petrolera Ecuatoriana*, 762 F.2d 464, 472 (5th Cir. 1985).

Accordingly, we DISMISS San Miguel's appeal, in part, for lack of jurisdiction and AFFIRM the district court's decision as to preliminary injunctive relief.