IN THE
Supreme Court of the United States

No. 24A1153

U.S. DEPARTMENT OF HOMELAND SECURITY , *et al.*,
Applicants,

v.

D.V. D., *et al.*,
Respondents.

On Application for a Stay of the Injunction Issued by the United States District Court for the District of Massachusetts and Request for an Immediate Administrative Stay

BRIEF *AMICUS CURIAE* OF AMERICA'S FUTURE AND CONSERVATIVE LEGAL DEFENSE AND EDUCATION FUND IN SUPPORT OF APPLICATION FOR STAY

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INTEREST OF THE *AMICI CURIAE*[1]

Amici curiae America's Future and Conservative Legal Defense and Education Fund are nonstock, not-for-profit organizations, exempt from federal income taxation under section 501(c)(3) of the Internal Revenue Code. Each is dedicated, *inter alia*, to the correct construction, interpretation, and application of law. *Amici* participate actively in the public policy process and have filed numerous *amicus curiae* briefs in federal and state courts, including three supporting recent stays of district court injunctions relating to the enforcement of immigration law.

STATEMENT OF THE CASE

These *amici* offer the following rather detailed Statement of the Case in an effort to demonstrate how extraordinary the actions of this one federal district court have been. A careful review of exactly how this court has directed the enforcement of immigration policy and the conduct of our nation's foreign policy. will speak as loudly as any argument that could be made as to why Congress denied to district courts the very powers which this district court has exercised.

On January 20, 2025, President Trump issued Executive Order 14165, entitled "Securing Our Borders." *See* 90 *Fed. Reg.* 8467. On or about February 18, 2025, the Department of Homeland Security ("DHS") issued a directive to the Enforcement and Removal Operations ("ERO") division of Immigration and Customs Enforcement ("ICE"). *See D.V.D. v. United States Dep't of Homeland Sec.*,

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[1] It is hereby certified that no counsel for a party authored this brief in whole or in part; and that no person other than these *amici curiae*, their members, or their counsel made a monetary contribution to its preparation or submission.

2025 U.S. Dist. LEXIS 74197 at *7 (D. Mass. 2025) ("*D.V.D. III*"). That Directive "instructs ERO officers to review the cases of aliens granted withholding of removal or protection under [the Convention Against Torture ("CAT")] 'to determine the viability of removal to a third country and accordingly whether the alien should be re-detained.'" *Id.* In addition, in the case of aliens under prior orders of removal who could not be removed because the countries designated in removal orders were unwilling to take them, ERO was directed to consider whether they could be removed instead to "third countries," *i.e.*, countries not named on the initial deportation order, but as permitted by law. *Id.*

On March 23, 2025, four illegal aliens filed suit in the district court for the District of Massachusetts, seeking a temporary restraining order and injunctive relief against the Directive. *See D.V.D. v. United States Dep't of Homeland Sec.*, 2025 U.S. Dist. LEXIS 59422, at *2 (D. Mass. 2025) ("*D.V.D. I*"). The district court considered two claims for relief — one under CAT and one under 8 U.S.C. § 1231(b)(3)(A) (which states, "the Attorney General may not remove an alien to a country **if the Attorney General decides** that the alien's life or freedom would be threatened in that country...." (emphasis added)).

On March 28, 2025, the court issued a **temporary restraining order** ("TRO") on statutory claims limited to the named plaintiffs, which was followed issuance of a memorandum in support on March 29, 2025. However, **the TRO on CAT claims was not limited to the named plaintiffs, but was made**

applicable to "all similarly situated individuals." *D.V.D. I* at *9 (emphasis added).

The district court cursorily rejected the government's challenge to the court's jurisdiction based on three statutes constraining the court's involvement. *Id.* at *3.

- 8 U.S.C. § 1252(g), states: "Except as provided in this section ... **no court shall have jurisdiction** to hear any cause or claim by or on behalf of any alien...." (Emphasis added.)

- 8 U.S.C. § 1252(a)(5), states: "a petition for review filed with an appropriate **court of appeals** in accordance with this section shall be the **sole and exclusive means for judicial review** of an order of removal entered or issued under any provision of this chapter." (Emphasis added.)

- 8 U.S.C. § 1252(b)(9), states: "Except as otherwise provided in this section, **no court shall have jurisdiction**, by habeas corpus under section 2241 of title 28 or any other habeas corpus provision, by section 1361 or 1651 of such title, or by any other provision of law (statutory or nonstatutory), **to review such an order**...." (Emphasis added.)

The district court declared that the threatened deportations did not actually constitute "orders of removal" because some of the potential deportees might not be sent to countries listed as destinations on their original removal orders, but to "third countries" instead — even though removal to third countries is authorized by law. *D.V.D. I* at *3, *5.

The government sought a stay from the First Circuit, which was denied for the reason that the circuit court simply did not know whether it had jurisdiction to stay the district court's TRO. *See D.V.D. v. United States Dep't of Homeland Sec.*, 2025 U.S. App. LEXIS 8338 (1st Cir. 2025) ("*D.V.D. II*").

On April 18, 2025, the district court entered a **preliminary injunction** against the Directive on the assumption the statutes barring judicial review would not apply if the removals were unlawful on the merits. The court stated that "this Court will not construe section 1252(g) to immunize an unlawful practice from judicial review.... What Plaintiffs challenge is Defendants' authority to effectively depart from the removal orders by designating new countries for removal...." *D.V.D. III* at *25-26. The Court's theory to evade limitations on its power was that if the removals were viewed as illegal by the court, that would deprive DHS of their authority to act, and "section 1252(g) shields only discretionary decisions concerning ... the deportation process." *Id.* at *26-27. The district court granted a sweeping preliminary injunction to institute and implement **what the court believed to be better** than the procedures established by Congress and the Department of Homeland Security. The district court ordered the government to:

> [P]rior to removing any alien to a third country, *i.e.*, any country not explicitly provided for on the alien's order of removal, Defendants must: (1) provide written notice to the alien—and the alien's immigration counsel, if any—of the third country to which the alien may be removed...; (2) provide meaningful opportunity for the alien to raise a fear of return for eligibility for CAT protections; (3) move to reopen the proceedings if the alien demonstrates "reasonable fear"; and (4) if the alien is not found to have demonstrated "reasonable fear," provide meaningful opportunity, and a minimum of 15 days, for that alien to seek to move to reopen immigration proceedings. [*Id.* at *55-56.]

The district court then went even further and **certified a class** of all persons subject to a final removal order who DHS proposed to transfer to a "third country" not listed on their original removal order. *Id.* at *27-28, *57. Through this device,

the district court believed it was authorized to issue what could be viewed as a nationwide injunction. On May 16, despite there being no question that it had the authority to do so, the First Circuit denied the government's April 18, 2025 emergency motion for a stay of the preliminary injunction.

On April 30, 2025, the district court extended its April 18, 2025 Preliminary Injunction to apply to all federal agencies. On May 7, 2025, the district court entered another order, styled by the court as a "clarification," prohibiting DHS from allowing other agencies to perform the removals the court had enjoined DHS from effectuating. *D.V.D. v. United States Dep't of Homeland Sec.*, 2025 U.S. Dist. LEXIS 88472 (D. Mass. 2025).

On May 20, 2025, the district court entered another order with respect to several individuals who had been transported to **South Sudan**. The order directed DHS to "maintain custody and control of class members currently being removed to South Sudan or to any other third country, to ensure the practical feasibility of return if the Court finds that such removals were unlawful." *D.V.D. v. United States Dep't of Homeland Sec.*, 2025 U.S. Dist. LEXIS 98733, *4 (D. Mass. 2025).

On May 21, 2025, the district court acted again to "clarify" its *D.V.D. III* order for "'meaningful opportunity'" for an alien to raise fear of return for CAT purposes. The court ruled that "**a minimum of ten days**" was required as "meaningful opportunity" as a matter of due process. *D.V.D. v. United States Dep't of Homeland Sec.*, 2025 U.S. Dist. LEXIS 98774 at *3 (D. Mass. 2025).

On May 23, 2025, the district court ordered DHS to **return one plaintiff**, O.C.G., who had already been transferred to Mexico, and thence home to Guatemala. *D.V.D. v. United States Dep't of Homeland Sec.*, 2025 U.S. Dist. LEXIS 99236 (D. Mass. 2025).

Finally, on May 26, 2025, the district court denied the government's motion for reconsideration and to stay its preliminary injunction. *D.V.D. v. United States Dep't of Homeland Sec.*, 2025 U.S. Dist. LEXIS 99230 (D. Mass. 2025). The following day, the government filed their Application.

At no time, in any of its orders and opinions, did the district court feel the need to give consideration to the government's interest in removing persons illegally in the United States, and discouraging others from also violating the law with the knowledge that, if they arrived, they would be deported. Moreover, at no time did the district court feel the need to give consideration to the importance of protecting the American People from those who had committed crimes in the United States, and were likely to commit further crimes, including sex offenses and murder. *See* Application for Stay at 16-17. The district court believed that, despite Congressional limitations on its power, it simply had to act to take over the enforcement of our nation's immigration policies

STATEMENT

The district court judge has issued a truly remarkable set of injunctions, class certifications, clarifications, threats of contempt, orders to nonparty government entities, and other rulings and statements, seeking to rewrite the

nation's immigration laws from a district court bench in Boston. It is possible the district court judge involved may not yet be aware of the limitations of the authority of a federal district court, as he received his judicial commission on December 6, 2024, only weeks before he was assigned this case. He was nominated by President Biden in March 2024, reported from committee on a party line vote, and confirmed without a single Republican Senator voting aye. Northeastern University Law School constitutional law professor Jeremy R. Paul explained the significance of President Biden's appointment of district judges (who he termed "Biden judges"), including this particular district court judge:

> The Democratic president's federal court nominees will "make a huge difference in a variety of cases during the Trump Administration...." "There will be a tremendous amount of litigation during the [incoming] administration...." "**Because of Biden judges, there will be a lot of initial victories [at the district court level]**." [J. Micek, "Biden tapped a former Worcester public defender as a federal judge. Why it matters," *MassLive* (Dec. 10, 2024) (emphasis added).]

However, this particular district court judge is not alone, even in his district, which has aggressively sought to freeze in place the policies of the Biden Administration by stymieing the policies of the Trump Administration. **The Massachusetts district court is just one of 94 federal district courts, yet it has issued 11 of the approximately 85 injunctions** thus far catalogued by these *amici* as having been entered against Trump Administration policies. *See* Appendix (incomplete list).

It is becoming apparent to the American People that many judges have assumed their office gives them the authority to prevent the Trump Administration

from employing laws previously unchallenged, as well as from making the very policy changes President Trump was elected by the People to implement. This is a matter that requires corrective action by this Court.

SUMMARY OF ARGUMENT

The Statement of the Case, *supra*, demonstrates why Congress denied to district courts the power to micromanage our nation's immigration policies, particularly as it affects foreign policy, yet the district court did not feel constrained. Section I, *infra*, explains how the district court's TRO and preliminary injunction violate Congressional limitations on the powers of all district courts, regardless of how district judges feel about the rights that illegal aliens should have been given. Section II, *infra*, addresses the particular problems caused by allowing federal courts to meddle in the areas of our nation's foreign policy and national security when the particular immigration issue involves deportations to foreign countries. Of all of the injunctions that have been issued since January 20, 2025 by district courts in an effort to stop the Trump Administration from enforcing the nation's immigration laws, this one demonstrates the most reckless disregard of the rule of the judiciary, calling out for correction by this Court.

ARGUMENT

I. THE DISTRICT COURT ACTED *ULTRA VIRES* IN VIOLATING THE CONGRESSIONAL LIMITATIONS ON THE JURISDICTION OF DISTRICT COURTS.

It is abundantly clear that the district court objects to the Trump Administration sending deportable illegal aliens to "third countries" when required even though authorized by law, under 8 U.S.C. § 1231(b)(2)(E):

> (vii) If **impracticable, inadvisable, or impossible** to remove the alien to each country described in a previous clause of this subparagraph, **another country** whose government will accept the alien into the country. [Emphasis added.]

The district court would prefer that the illegal alien remain in the United States than be deported to a country that he does not approve. The district demonstrates no appreciation for the fact that some illegal aliens are so problematic that the countries to which they otherwise would have been deported (*e.g.,* the country from which the alien was admitted; prior residence; place of birth) will not accept them. The operative assumption of the district court appears to be that it would be better for murderers, convicted sex offenders, or others to stay in the United States than to be deported to a country which will accept them. *See* App. at 2, 8, 16-17, 39. The matter of returning illegal aliens is complex and fraught with nuance, which is why the process is entrusted to the executive, and federal courts such as the Massachusetts district court are expressly excluded from participating in the process. The district courts are also prohibited from revising the statutory process

as implemented by DHS, but the result, not the law, appears to be at the core of this district court's decisionmaking.

The district court judge elevates his personal view over the view of the one official elected by all the People of the United States when he flatly stated he: **"does not share the same disregard for probable due process violations" as the Trump Administration.** *D.V.D. I* at *6 (emphasis added). In acting more like a public defender searching for any argument available, the court expressed no respect for the immigration scheme he sought to alter. Here, the district court invents new due process rights and then finds due process violations.

The district court also rebels against Congress' decision to place **review** of administrative alien removal decisions **only** in the federal Courts of Appeals, and the **injunctive** remedy **only** in the hands of the Supreme Court. The court made its disapproval of the law clear, by quoting a First Circuit case for the proposition that the actual physical removal of an alien is "'wholly collateral to, the removal process,' not 'arising from' it." *D.V.D. III* at *16. In the district court's view, once a removal order is entered, anything else relating to the actual removal is reviewable. However, although the court is entitled to disagree with Congress' decision, it is not entitled to ignore it or attempt to evade it.

In clear terms, 8 U.S.C. § 1252(f)(1) states that "**no court (other than the Supreme Court) shall have jurisdiction or authority to enjoin** or restrain the operation of the provisions" of 8 U.S.C. §§ 1221, *et seq*., relating to alien removals (emphasis added). This Court has been clear that:

> the "operation of the provisions" is a reference "not just to the statute itself but to **the way that [it is] being carried out**." ... Putting these terms together, §1252(f)(1) generally **prohibits lower courts from entering injunctions** that order federal officials to take or to refrain from taking actions to enforce, implement, or otherwise carry out [removals of classes of aliens]. [*Garland v. Gonzalez*, 596 U.S. 543, 550 (2022) (emphasis added).]

Thus, the actual physical removal of the alien is not, and cannot be viewed as, "collateral" to the removal proceeding, notwithstanding the district court's verbal gymnastics.

Because the district court does not feel that the "third country removal" process squares with its idea of "due process," the court believes it has the right to override the procedures established by Congress, as executed by the Department of Homeland Security. The district court usurps authority denied to it by a constitutional act of Congress.

There should be no question that Congress can limit the jurisdiction of a district court. Article III states, "The judicial Power of the United States, shall be vested in one supreme Court, and in such inferior Courts as the Congress may from time to time ordain and establish." U.S. CONST. Art. III. In 1789, Congress passed, and President Washington signed, the Judiciary Act of 1789, which created the first lower federal courts, including district courts, and outlined the limits of their jurisdiction.[2] "[T]he Circuit Courts were created by an act of Congress, and they are

[2] National Archives, "Federal Judiciary Act (1789)."

not authorized to exercise jurisdiction in any case except where the jurisdiction was conferred by an act of Congress." *United States v. Eckford*, 73 U.S. 484, 488 (1868).

The idea is not new. Nor is it untested even with respect to this Court. In 1869, in *Ex Parte McCardle*, this Court recognized Congress' power under Article III to strip it of appellate jurisdiction. William McCardle, a newspaper publisher, printed articles critical of the Reconstruction program and was jailed by the military. He applied for a writ of habeas corpus with a federal district court, and the case was appealed to this Court. Fearful that the Court would strike down the Reconstruction program, Congress passed a law stripping this Court of appellate jurisdiction over habeas appeals. In *McCardle*, this Court properly acknowledged Congress' power to strip it of jurisdiction and conceded it had no jurisdiction to hear McCardle's appeal. *Ex Parte McCardle*, 74 U.S. 506 (1869).

Nor is *McCardle* an outlier. This Court recognized the principle again a half-century later for the lower courts:

> Only the jurisdiction of the Supreme Court is derived directly from the Constitution. **Every other court created by the general government derives its jurisdiction wholly from the authority of Congress**. **That body may give, withhold or restrict such jurisdiction at its discretion**, provided it be not extended beyond the boundaries fixed by the Constitution.... The Constitution simply gives to the inferior courts the capacity to take jurisdiction in the enumerated cases, but it requires an act of Congress to confer it.... And the jurisdiction having been conferred **may, at the will of Congress, be taken away in whole or in part**.... [*Kline v. Burke Constr. Co.*, 260 U.S. 226, 234 (1922) (emphasis added).]

Later, this Court again stated: "There can be no question of the power of Congress thus to define and limit the jurisdiction of the inferior courts of the United

States." *Lauf v. E. G. Shinner & Co.*, 303 U.S. 323, 330 (1938). In 1943, this Court repeated the principle, this time citing an array of past cases for support:

> The Congressional power to ordain and establish inferior courts includes the power "of investing them with jurisdiction either limited, concurrent, or exclusive, and of withholding jurisdiction from them **in the exact degrees and character which to Congress may seem proper for the public good**. [*Lockerty v. Phillips*, 319 U.S. 182, 187-88 (1943) (emphasis added) (citations omitted).]

This Court has recognized Congress' authority to limit lower court jurisdiction as expressly stated in the Constitution.

> **To deny this position would be to elevate the judicial over the legislative branch of the government, and to give to the former powers limited by its own discretion merely**. It follows, then, that the courts created by statute must look to the statute as the warrant for their authority; **certainly they cannot go beyond the statute, and assert an authority with which they may not be invested by it, or which may be clearly denied to them.**... The existence of the Judicial Act itself ... furnishes proof unanswerable on this point. The courts of the United States are all limited in their nature and constitution, and have not the powers inherent in courts existing by prescription or by the common law. [*Cary v. Curtis*, 44 U.S. 236, 245 (1845) (superseded by statute on other grounds) (emphasis added).]

Nor is Congress the only branch to recognize this authority. Indeed:

> [w]hen Chief Justice John Roberts was Special Assistant to the Attorney General during the Reagan Administration, he wrote a 27-page document defending the constitutional power of Congress to limit federal court jurisdiction.... Roberts concluded that Congress's constitutional authority to make exceptions to federal court jurisdiction is so clear that only a new constitutional amendment could deny it.[3]

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[3] P. Schlafly, "Can Congress Limit Federal Court Jurisdiction?" *EagleForum.com* (Jan. 25, 2006).

II. THE CASE BELOW ILLUSTRATES THE UNWORKABLE FOLLY OF "FOREIGN POLICY BY JUDGE."

In most cases, the Statement of the Case section of an appellate brief is primarily useful to focus on the posture that the case comes up to an appellate court. This case is the exception. In this case, these *amici* have attempted to set out a Statement of the Case which reveals the impossibility of the Department of Homeland Security enforcing our nation's immigration laws while being required to act at the direction of a federal district court judge who appears committed to revising those laws from his bench. The deportation of illegal aliens requires that they be deported to a foreign country. Thus, every deportation involves the nation's foreign policy. Although federal law provides guidance on where the illegal alien is sent, in the end, it entrusts the matter to the Department of Homeland Security — not a district court.

The Statement of the Case reveals the utter impossibility of the Executive Branch carrying out immigration laws by working directly with foreign governments to accept persons, all of whom have demonstrated at minimum a willingness to violate national immigration law, and many of whom have violated a other laws as well. This district court zealously defended illegal aliens while giving no deference to the branch of government entrusted with the duty to deport illegal aliens. The district court has followed the plaintiffs' lead in granting motion after motion. If this type of judicial intervention is permitted, where officials of the Department of Homeland Security seeking to enforce our laws will be told to stand

down, and officials of the Justice Department will be required to respond on short notice to a bevy of motions and orders entered *ultra vires*.

On the immigration front, the human costs have already been incalculable. As immigration officials have scrambled to keep up with the orders of hostile judicial micro-managers, the worst-of-the-worst violent criminal aliens have gamed the system, escaping back into the general population, sometimes for years, to commit still more heinous crimes against Americans. *See* App. at 2.

Not surprisingly, as the government points out, many of these criminal aliens' countries of origin were happy to unload their worst criminals on America and are usually unwilling to take them back. "As a result, criminal aliens are often allowed to stay in the United States for years on end, victimizing law-abiding Americans in the meantime." *Id.* As a result of the open borders policy pursued by prior Administrations which refused to follow federal law, now DHS has been given the task of finding a "third country" willing to take these hard cases at all — then hope the nation doesn't change its mind while the district courts arrogate the right to function as 400 unelected pseudo-Presidents. Thus, "[i]n addition to usurping the Executive's authority over immigration policy, the injunction disrupts sensitive diplomatic, foreign-policy, and national-security efforts." *Id.*

Congress recognized that "[s]uch delicate and difficult judgments about international relations fall beyond the judicial ken." *Does v. Taliban*, 101 F.4th 1, 12 (D.C. Cir. 2024). Moreover, they defy a judicial timeline. Foreign policy judgments such as these cannot be subjected to briefing schedules imposed by any

of 400 federal district judges serving in 94 district courts. That is why such "difficult and complex [questions] in international affairs ... are committed to the Legislature and the Executive, not the Judiciary." *Zivotofsky v. Kerry*, 576 U.S. 1, 5 (2015). The judiciary is wholly unprepared to handle such matters. As a practical matter, decisions like the one below make conduct of foreign policy impossible.

If not stopped by this Court, the problem will spread as other federal courts will believe themselves empowered to run our nation's foreign policy whenever a suit is filed. Foreign policy by lawfare is not workable.

The public confidence in the federal judiciary is at an all-time low, in the wake of one of "the largest" drops in confidence "Gallup has ever measured."[4] When the public realizes the full extent to which they have "ceased to be their own rulers," that confidence will sink further, if not vanish entirely. It is up to this Court to restore the rule of law by reining in this pattern of judicial excess.

CONCLUSION

For the foregoing reasons, this Court should stay the district court's injunction.

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[4] B. Vigers and L. Saad, "Americans Pass Judgment on Their Courts," *Gallup.com* (Dec. 17, 2024).

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APPENDIX

DEPARTMENT OF HOMELAND SECURITY V. D.V.D.

Appendix to Amicus Brief

FEDERAL COURT INJUNCTIONS AGAINST THE TRUMP ADMINISTRATION
(January 20, 2025 through June 2, 2025)

BIRTHRIGHT CITIZENSHIP

1. *New Hampshire Indonesian Community Support v. Trump*, No. 1:25-cv-00038 — Judge Joseph N. Laplante (G.W. Bush) of the District of New Hampshire enjoined any enforcement of Trump's birthright citizenship EO within the state. The case was appealed to the First Circuit on April 11, where it is pending.

2. *Washington v. Trump*, No. 2:25-cv-00127 — Judge John C. Coughenour (Reagan) of the District of Washington enjoined any enforcement of Trump's birthright citizenship EO nationwide. The case was appealed to the Ninth Circuit and the Supreme Court, where argument on the universal injunction was held May 15.

3. *New Jersey v. Trump; Doe v. Trump*, No. 1:25-cv-10139 — Judge Leo T. Sorokin (Obama) of the District of Massachusetts enjoined any enforcement of Trump's birthright citizenship EO within the state. The case was appealed to the First Circuit and the Supreme Court, where argument on the universal injunction was held May 15.

4. *CASA Inc. v. Trump*, No. 8:25-cv-00201 — Judge Deborah L. Boardman (Biden) of the District of Maryland enjoined any enforcement of Trump's birthright citizenship EO nationwide. The case was appealed to the Fourth Circuit and the Supreme Court, where argument on the universal injunction was held May 15.

IMMIGRATION

5. *J.G.G. v. Trump*, No. 1:25-cv-00766 — Judge James E. Boasberg (Obama) of the District of D.C. ordered flights of gang members and terrorists rerouted back to the United States, and then ordered that Trump cannot deport anyone under the Alien Enemies Act without a hearing. This was upheld by D.C. Circuit, then on April 7, the Supreme Court vacated the district court's TROs. Judge Boasberg on April 16 threatened the Trump administration with criminal contempt charges, but on April 18 the DC Circuit issued an administrative stay in the appeal from Judge Boasberg's Apr. 16 contempt-related order. Plaintiffs filed an April 24 amended complaint including a habeas petition for a class of individuals and an April 25 motion for a permanent injunction.

6. *Chung v. Trump*, No. 1:25-cv-02412 — Judge Naomi R. Buchwald (Clinton) of the Southern District of New York issued a temporary restraining order preventing Trump from deporting a Columbia University student for pro-Hamas activism.

7. *Phila. Yearly Meeting of The Religious Soc'y of Friends v. U.S. Dep't of Homeland Sec.*, No. 8:2025-cv-00243 — Judge Theodore D. Chuang (Obama) of the District of Maryland enjoined ICE raids in houses of worship.

8. *M.K. v. Joyce*, No. 1:25-cv-01935 — Judge Jesse M. Furman (Obama) of the Southern District of New York issued a temporary restraining order forbidding the removal of a prisoner from the U.S. to Venezuela until the court could rule on the merits of the removal. This case was transferred on March 19 as *Khalil v. Joyce*, 2:25-cv-01963 — Judge Michael E. Farbiarz (Biden) of the District of New Jersey ordered on that same day that "Petitioner shall not be removed from the United States unless and until the Court issues a contrary Order."

9. *Parra v. Castro*, No. 1:24-cv-00912 — Judge Kenneth J. Gonzales (Obama) of the District of New Mexico issued a temporary restraining order on February 9 blocking the transfer of three Venezuelans to Gitmo. They were then removed to their home country instead and voluntarily dismissed their case.

10. *Vizguerra-Ramirez v. Choate*, No. 1:25-cv-00881 — Judge Nina Y. Wang (Biden) of the District of Colorado enjoined the ICE deportation of a Mexican citizen.

11. *National TPS Alliance v. Noem*, No. 3:25-cv-01766 — Judge Edward M. Chen (Obama) of the Northern District of California enjoined ending Temporary Protected Status ("TPS") for 350,000 to 600,000 Venezuelans. After the Ninth Circuit denied a stay, the Supreme Court on May 19 stayed the district court decision.

12. *Pacito v. Trump*, No. 2:25-cv-00255 — Judge Jamal N. Whitehead (Biden) of the Western District of Washington granted a nationwide preliminary injunction on February 28 blocking President Trump's Executive Order indefinitely halting entry through the U.S. Refugee Admissions Program (USRAP). On appeal, the Ninth Circuit partially granted the Trump administration's emergency motion to stay, and filed an order clarifying their stay on April 21.

13. *City and County of San Francisco v. Donald J. Trump*, No. 3:25-cv-01350 — Judge William H. Orrick III (Obama) of the Northern District of California granted a preliminary injunction April 24 enjoining President Trump's efforts to have the Department of Justice investigate and prosecute "sanctuary cities" policies and government officials interfering with immigration enforcement.

14. *D.V.D. v. U.S. Department of Homeland Security*, No. 1:25-cv-10676 — Judge Brian E. Murphy (Biden) of the District of Massachusetts on March 28 issued a temporary restraining order enjoining the Trump administration over the recent policy of deporting non-citizens with final removal orders to a third country, specifically El Salvador, without first providing an opportunity to contest removal. First Circuit denied stay pending appeal April 7. Judge Murphy granted class certification and issued a preliminary injunction April 18, and further orders on May 20, May 21, May 23, and May 26. SCOTUS Application for Stay was filed May 27, and the case was remanded to the Fifth Circuit, where briefs are pending, with oral argument scheduled June 30.

15. *Community Legal Services in East Palo Alto v. U.S. Dep't of HHS*, No. 3:25-cv-02847 — Judge Araceli Martinez-Olguin (Biden) of the Northern District of California issued a temporary restraining order on April 1 blocking Defendants from terminating funding for Department of Health and Human Services' (HHS) Office of Refugee Resettlement (ORR) funding for legal representation services for unaccompanied immigrant children through April 16, then on April 10 extended the TRO through April 30. Defendants' appeal of the TRO to the Ninth Circuit was denied, as was a petition for rehearing en banc. On April 29, the District Court granted a preliminary injunction blocking Defendants from withdrawing the services or funds provided by ORR until a final judgment in the matter is issued. Defendants appealed the PI to the Ninth Circuit on Apr. 30.

16. *J.A.V. v. Trump*, No. 1:25-cv-00072 — Judge Fernando Rodriguez (Trump) of the Southern District of Texas on April 9 temporarily enjoined the Trump administration from deporting Venezuelans outside of the district under the Alien Enemies Act. On May 1, Judge Rodriguez certified a class and granted a permanent injunction.

17. *G.F.F. v. Trump*, No. 1:25-cv-02886 — Judge Alvin Hellerstein (Clinton) of the Southern District of New York granted a temporary restraining order on April 9 on behalf of a class of all persons in the district subject to deportation under the Alien Enemies Act. A Preliminary Injunction was granted May 6.

18. *Doe v. Noem*, No. 1:25-cv-10495 — Judge Indira Talwani (Obama) of the District of Massachusetts, on April 14, granted a motion to stay the Department of Homeland Security's blanket revocation of Cuba, Haiti, Nicaragua, and Venezuela parole programs (the "CHNV parole programs") and ordering case-by-case review of any termination of work authorization permits to remain in the United States. After the 1st Circuit denied a stay, the Supreme Court on May 30 stayed the district court decision.

19. *Viloria Aviles v. Trump*, No. 2:25-cv-00611 — Judge Gloria Maria Navarro (Obama) of the District of Nevada issued a preliminary injunction on April 17 prohibiting the government from removing the Petitioner from the United States under the Alien Enemies Act until after his merits hearing.

20. *D.B.U. v. Trump*, No. 1:25-cv-01163 — Judge Charlotte Sweeney (Biden) of the District of Colorado issued a temporary restraining order on April 22 forbidding the administration from removing Venezuelan illegal aliens from Colorado for deportation under the Aliens Enemies Act. A motion for a preliminary injunction is pending. On appeal to the Tenth Circuit, a panel on April 29 denied an emergency motion for stay.

21. *A.S.R. v. Trump*, No. 3:25-cv-00113 — Judge Stephanie Haines (Trump) of the Western District of Pennsylvania granted a temporary restraining order on April 25 on behalf of a class of all persons in the district subject to deportation under the Alien Enemies Act that they must be given 14 days' notice and hearing before any removal from the district, pursuant to the Supreme Court's decision in *J.G.G. v. Trump*.

22. *Mahdawi v. Trump*, No. 2:25-cv-00389 — Judge Geoffrey W. Crawford (Obama) of the District of Vermont extended a temporary restraining order on April 24 "for a period of 90 days or until dismissal of this case or grant of a preliminary injunction, whichever is earliest ... no respondent... shall remove [Mohsen Mahdawi, a Palestinian] from Vermont without further order from this court."

23. *Yostin Sleiker Gutierrez-Contreras v. Warden Desert View Annex*, No. 5:25-cv-00911 — Judge Sunshine S. Sykes (Biden) of the Central District of California, issued a temporary restraining order on April 16 preventing the government from removing a Venezuelan at risk of being deported to El Salvador under the Alien Enemies Act. On April 28, the TRO was dissolved since the Plaintiff was in Texas when the petition was filed.

> *NOTE: According to *Politico*, there have been over 100 lawsuits and 50 restraining orders related to the F-1 visas and the Student and Exchange Visitor Information System (SEVIS) in 23 states. The Trump Administration is working to resolve this situation, so these cases are not included here.

TRANSGENDER

24. *Talbott v. Trump*, No. 1:25-cv-00240 — Judge Ana C. Reyes (Biden) of the District of D.C., a lesbian, enjoined Trump's rule preventing "transgender" persons from serving in the military. The case is on appeal to the D.C. Circuit.

25. *PFLAG v. Trump*, No. 8:25-cv-00337 — Judge Brendan A. Hurson (Biden) of the District of Maryland granted an injunction against Trump's order denying federal funding to institutions performing chemical or surgical "transgender" mutilation on minors.

26. *Washington v. Trump*, No. 2:25-cv-00244 — Judge Lauren J. King (Biden) of the Western District of Washington enjoined Trump's order denying federal funding to institutions performing chemical or surgical "transgender" mutilation on minors. The case is on appeal to the Ninth Circuit.

27. *Ireland v. Hegseth*, No. 1:25-cv-01918 — Judge Christine P. O'Hearn (Biden) of the District of New Jersey enjoined the Air Force from removing two "transgender" service members pursuant to Trump's order banning "transgender" service members.

28. *Doe v. McHenry; Doe v. Bondi*, No. 1:25-cv-00286 — Judge Royce C. Lamberth (Reagan) of the District of D.C. enjoined the transfer of twelve "transgender women" to men's prisons under Trump's order, and terminating their taxpayer-funded hormone treatments. The injunction has been appealed to the D.C. Circuit.

29. *Moe v. Trump*, No. 1:25-cv-10195 — Senior Judge George A. O'Toole Jr. (Clinton) of the District of Massachusetts enjoined the transfer of a "transgender woman" to a men's prison under Trump's order. This case has been transferred to another, unidentified, district.

30. *Jones v. Trump*, No. 1:25-cv-401 — Judge Royce C. Lamberth (Reagan) of the District of D.C. enjoined the transfer of three "transgender women" to men's prisons and termination of their taxpayer-funded hormone treatments under Trump's order.

31. *Shilling v. Trump*, No. 2:25-cv-00241 — Judge Benjamin H. Settle (G.W. Bush) of the Western District of Washington enjoined Trump's order to remove "transgender" service members. The Ninth Circuit denied a request for a stay of the injunction; an Application for Stay filed at the Supreme Court (24A1030), and the stay was granted May 6.

32. *Maine v. Department of Agriculture*, No. 1:25-cv-00131 — Judge John Woodcock (G.W. Bush) of the District of Maine granted a temporary restraining order on April 11 on behalf of Maine, in its lawsuit against Trump's federal education funding freeze to Maine for its refusal to ban boys from girls' teams.

GOVERNMENT OPERATIONS

33. *Dellinger v. Bessent*, No. 1:25-cv-00385 — Judge Amy B. Jackson (Obama) of the District of D.C. issued a restraining order invalidating Trump's firing of U.S. special counsel Hampton Dellinger. The order was upheld by the D.C. Circuit Court of Appeals and the Supreme Court, then was temporarily lifted by the Court of Appeals on March 5; on March 6, Dellinger announced that he was dropping his case.

34. *American Federation of Government Employees, AFL-CIO v. U.S. Office of Personnel Management*, No. 3:25-cv-01780 — Judge William H. Alsup (Clinton) of the Northern District of California enjoined Trump's order for six federal agencies to dismiss thousands of probationary employees. The injunction was upheld by the Ninth Circuit, and the Supreme Court issued a stay based on standing.

35. *Wilcox v. Trump*, No. 1:25-cv-00334 — Judge Beryl A. Howell (Obama) of the District of D.C. enjoined Trump's firing of National Labor Relations Board member Gwynne Wilcox, a Democrat, and ordered her reinstated to finish her term. The D.C. Circuit stayed the injunction, then reinstated it, and an application for a stay at the Supreme Court was granted by Chief Justice Roberts on April 9, and by the Supreme Court on May 22.

36. *Harris v. Bessent*, No. 1:25-cv-00412 — Judge Rudolph Contreras (Obama) of the District of D.C. enjoined Trump's firing of Merit Systems Protection Board member Cathy Harris and ordered her reinstated. The D.C. Circuit stayed the injunction, then reinstated it, an application for a stay at the Supreme Court was granted by Chief Justice Roberts on April 9, and by the Supreme Court on May 22.

37. *American Foreign Service Association v. Trump*, No. 1:25-cv-00352 — Judge Carl J. Nichols (Trump) of the District of D.C. issued a temporary restraining order against Trump's firing of USAID employees. He later vacated the TRO and denied a preliminary injunction against the firings.

38. *Does 1-9 v. Department of Justice*, No. 1:25-cv-00325 — Judge Jia M. Cobb (Biden) of the District of D.C. enjoined Trump from releasing the names of any FBI agents who worked on the January 6 investigation.

39. *Doctors for America v. U.S. Office of Personnel Management*, No. 1:25-cv-00322 — Judge John D. Bates (G.W. Bush) of the District of D.C. ordered that CDC and FDA webpages that "inculcate or promote gender ideology" be restored after Trump ordered them removed.

40. *Perkins Coie v. DOJ*, No. 1:25-cv-00716 — Judge Beryl A. Howell (Obama) of the District of D.C. enjoined Trump's directive barring government agencies doing business with Perkins Coie and banning PC attorneys from federal buildings.

41. *Jenner Block v. DOJ*, No. 1:25-cv-00916 — Judge John D. Bates (G.W. Bush) of the District of D.C. on March 28 granted a temporary restraining order against Trump's directive barring government agencies from doing business with Jenner Block and banning that firm's attorneys from federal buildings. Judge Block granted Jenner's motions for summary judgment and permanent injunction on May 23.

42. *Wilmer Cutler Pickering Hale and Dorr LLP v. Executive Office of the President*, No. 1:25-cv-00917 — Judge Richard J. Leon (G.W. Bush) of the District of D.C. enjoined Trump's directive barring government agencies from doing business with Wilmer and banning that firm's attorneys from federal buildings.

43. *Susman Godfrey LLP v. Executive Office of the President*, No. 1:25-cv-01107 — Judge Loren L. AliKhan (Biden) of the District of D.C. on April 15 enjoined Trump's directive barring government agencies from doing business with Susman Godfrey and banning that firm's attorneys from federal buildings.

44. *American Federation of Government Employees, AFL-CIO v. Ezell*, No. 1:25-cv-10276 — Senior Judge George A. O'Toole Jr. (Clinton) of the District of Massachusetts issued a temporary restraining order against Trump's buyout of federal employees. The judge later lifted the TRO and denied an injunction, allowing the buyout to go forward.

45. *Maryland v. US Dept. of Agriculture*, No. 1:25-cv-00748 — James K. Bredar (Obama) of the District of Maryland issued a TRO ordering 38 agencies to stop firing employees and reinstate fired employees. On April 9, the Fourth Circuit stayed the district court injunction, noting the Supreme Court's stay in *AFGE, AFL-CIO v. OPM and Ezell*).

46. *Does 1-26 v. Musk*, No. 8:25-cv-00462 — Judge Theodore D. Chuang (Obama) of the District of Maryland ordered DOGE to reinstate email access for fired USAID employees.

47. *American Federation of Teachers v. Bessent*, No. 8:25-cv-00430 — Judge Deborah L. Boardman (Biden) of the District of Maryland enjoined DOE and Office of Personnel Management from disclosing personal information of employees to DOGE. On April 7, the Fourth Circuit granted a stay to the Defendants pending the appeal.

48. *American Federation of State, County and Municipal Employees, AFL-CIO v. Social Security Administration*, No. 1:25-cv-00596 — Judge Ellen L. Hollander (Obama) of the District of Maryland granted an injunction forbidding the Social Security Administration from providing personal information to DOGE. The Fourth Circuit dismissed an appeal for lack jurisdiction. On May 2, the Trump administration filed an Application for a Stay of the Injunction and Requested an Emergency stay.

49. *Brehm v. Marocco*, No. 1:25-cv-00660 — Judge Richard J. Leon (G.W. Bush) of the District of D.C. issued a temporary restraining order forbidding Trump from removing Brehm from, and appointing Marocco to, the U.S. African Development Foundation.

50. *American Oversight v. Hegseth*, No. 1:25-cv-00883 — Judge James E. Boasberg (Obama) of the District of D.C. issued an order "as agreed by the parties," for the government to preserve all Signal communications related to the leak to an *Atlantic* editor of DoD conversations in Houthi strike.

51. *National Treasury Employees Union v. Trump*, No. 1:25-cv-00935 — Judge Paul Friedman (Clinton) of the District of D.C., on April 25, enjoined agencies from implementing Trump's executive order limiting collective bargaining rights for many federal employees, but specifically did not enjoin President Trump.

52. *Woonasquatucket River Watershed Council v. Department of Agriculture*, No. 1:25-cv-00097 — Judge Mary McElroy (Trump) of the District of Rhode Island issued a preliminary injunction against Trump's federal funding freeze for various departments including the EPA. The Trump administration appealed to the First Circuit on May 1.

53. *Associated Press v. Budowich*, No. 1:25-cv-00532 — Judge Trevor McFadden (Trump) of the District of D.C. on April 8 enjoined the White House from keeping AP reporters out of the White House press briefings until it agrees to refer to the "Gulf of America."

54. *Novedades Y Servicios, Inc. v. FinCEN*, 3:25-cv-00886 — Judge Janis L. Sammartino (G.W. Bush) of the Southern District of California granted a temporary restraining order on April 22 against Department of Treasury FinCEN's Geographic Targeting Order which requires businesses along the southern border to file Currency Transaction Reports with FinCEN at a $200 threshold.

55. *New York, et al. v. Donald J. Trump*, No. 1:25-cv-01144 — Judge Jeannette A. Vargas (Biden) of the Southern District of New York issued a preliminary injunction on February 21 blocking DOGE's access to certain Treasury Department

payment records. Then on April 11, Judge Vargas partially dissolved her preliminary injunction since "based on existing record" mitigation, training and vetting procedures were adequate to satisfy her concerns.

56. *American Federation Of Government Employees, AFL-CIO v. Trump*, No. 3:25-cv-03698 — Judge Susan Y. Illston (Clinton) of the Northern District of California granted a Temporary Restraining Order on May 9 to pause the Defendants' reductions in force under EO 14210, and issued a preliminary injunction on May 22. Defendants immediately appealed this order to the Ninth Circuit, and filed an Application for a stay at the US Supreme Court on June 2.

FUNDING

57. *National Treasury Employees Union v. Vought*, No. 1:25-cv-00381 — Judge Amy B. Jackson (Obama) of the District of D.C. halted Trump's budget cuts and layoffs at the Consumer Financial Protection Bureau. On March 31, the government appealed Judge Jackson's preliminary injunction order to the D.C. Circuit; which on April 11 ordered a partial stay of the preliminary injunction.

58. *AIDS Vaccine Advocacy Coalition v. Department of State*, No. 1:25-cv-00400 — Judge Amir H. Ali (Biden) of the District of D.C. ordered Trump to unfreeze and spend $2 billion in USAID funds. The Supreme Court, in a 5-4 ruling with Justices Alito, Thomas, Kavanaugh, and Gorsuch dissenting, left the order in place. On Apr. 2, defendants appealed Judge Ali's Mar. 10 preliminary injunction order to the D.C. Circuit.

59. *Colorado v. US Dept. of Health and Human Services*, No. 1:25-cv-00121 — Judge Mary S. McElroy (Trump) of the District of Rhode Island, issued a temporary restraining order on April 5 reinstating payments to a coalition of states which sued the Trump administration over the cancellation of $11 billion in public health funding.

60. *National Council of Nonprofits v. OMB*, No. 1:25-cv-00239 — Judge Loren L. AliKhan (Biden) of the District of D.C. blocked Trump's order to pause federal aid while reviewing to determine if it aligned with administration policy. Appeal to the D.C. Circuit docketed April 25.

61. *Massachusetts v. NIH*, No. 1:25-cv-10338 — Judge Angel Kelley (Biden) of the District of Massachusetts issued a preliminary injunction on March 5 prohibiting implementation of the NIH Guidance "in any form with respect to institutions nationwide."

62. *New York v. Trump*, No. 1:25-cv-00039 — Judge John J. McConnell Jr. (Obama) of the District of Rhode Island enjoined Trump's order to freeze federal spending while reviewing to determine that it aligned with administration policy. The First Circuit, on March 26, denied defendants' motion for a stay pending appeal of the district court's preliminary injunction order.

63. *RFE/RL, Inc. v. Lake*, No. 1:25-cv-00799 — Judge Royce C. Lamberth (Reagan) of the District of D.C. issued a temporary restraining order forbidding Trump from cutting funds to Voice of America.

64. *Widakuswara v. Lake*, No. 1:25-cv-01015 — Judge Royce C. Lamberth (Reagan) of the District of D.C. issued a preliminary injunction on April 22 requiring the reinstatement of employment positions and funding for Voice of America and U.S. Agency for Global Media. The government appealed to the DC Circuit April 24.

65. *Radio Free Asia v. United States of America*, No. 1:25-cv-00907 — Judge Royce C. Lamberth (Reagan) of the District of D.C. issued a preliminary injunction requiring restoration of funding of Radio Free Asia and Middle East Broadcasting Networks on April 25. The government immediately filed an appeal to the D.C. Circuit, which granted a stay pending appeal on May 3.

66. *Massachusetts Fair Housing Ctr. v. HUD*, No. 3:25-cv-30041 — Judge Richard G. Stearns (Clinton) of the District of Massachusetts enjoined Trump's cuts to HUD grant funding and ordered spending reinstated.

67. *Climate United Fund v. Citibank, N.A.*, No. 1:25-cv-00698 — Judge Tanya S. Chutkan (Obama) of the District of D.C. issued a temporary restraining order enjoining EPA's Termination of Greenhouse Gas Reduction Fund Grants.

68. *Association of American Medical Colleges v. NIH*, No. 1:25-cv-10340 — Judge Angel Kelley (Biden) of the District of Massachusetts enjoined Trump's NIH grant funding cuts. The Case has been appealed to the First Circuit.

69. *American Association of Colleges for Teacher Education v. McMahon*, No. 1:25-cv-00702 — Judge Julie R. Rubin (Biden) of the District of Maryland issued an injunction requiring reinstatement of terminated education grant funds. Defendants appealed the preliminary injunction to the Fourth Circuit. On April 1, the Fourth Circuit denied Plaintiffs' motion to place the case in abeyance, and on April 10, granted the defendants' motion for stay pending appeal.

70. *Mayor and City Council of Baltimore et al. v. Vought*, No. 1:25-cv-00458 — Judge Matthew J. Maddox (Biden) of the District of Maryland issued a TRO preventing Trump from defunding the CFPB.

71. *Association of American Universities v. Department of Health and Human Services*, No. 1:25-cv-10346 — Judge Angel Kelley (Biden) of the District of Massachusetts issued a nationwide injunction against Trump's NIH funding cuts. Defendants appealed to the First Circuit on April 9.

72. *Association of American Universities v. Dept. of Energy*, No. 1:25-cv-10912 — Judge Allison D. Burroughs (Obama) of the District of Massachusetts issued a temporary restraining order on April 16 against the cap instituted on reimbursements for indirect costs for federal research grants from the Department of Energy.

73. *American Library Association v. Sonderling*, No. 1:25-cv-01050 — Judge Richard J. Leon of the District of D.C. granted a temporary restraining order on May 1 against the executive order which requires spending reduction of the Institute for Museum and Library Services.

74. *Rhode Island v. Trump*, No. 1:25-cv-00128 — Chief Judge John J. McConnell, Jr. (Obama) of the District of Rhode Island, granted a preliminary injunction on May 6 to a coalition of states which sued over an Executive Order which requires 7 agencies to reduce their functions.

75. *State of New York v. U.S. Dep't of Education*, No. 1:25-cv-02990 — Judge Edgardo Ramos (Obama) of the Southern District of New York granted a preliminary injunction that prohibits the U.S. Department of Education from cancelling over $1 billion in unspent COVID-19 pandemic funding grants extended past the original deadline by the prior administration.

76. *San Fransisco U.S.D. v. AmeriCorps*, 3:25-cv-02425 — Judge Edward M. Chen (Obama) of the Northern District of California granted a temporary restraining order on March 31 after San Francisco Unified School District sued over actions taken to fire employees and freeze grant funding at AmeriCorps.

77. *Citizens for Responsibility and Ethics in Washington v. U.S. DOGE Service*, 1:25-cv-00511 — Judge Christopher R. Cooper (Obama) of the District of D.C. issued a preliminary injunction on March 10 in a lawsuit against DOGE and Elon Musk regarding compliance with FOIA and the Federal Records Act.

ELECTIONS

78. *League of United Latin American Citizens v. EOP*, No. 1:25-cv-00946 — Judge Colleen Kollar-Kotelly (Clinton) of the District of D.C. granted a universal injunction on April 24 against Executive Order 14,248, requiring documentary proof of United States citizenship to vote in Federal elections. This case consolidates

three suits brought by racial minority associations and by Democrat Party, campaigns, and elected officials.

DEI-RELATED PROGRAMS

79. *Nat'l Ass'n of Diversity Officers in Higher Educ. v. Trump*, No. 1:25-cv-00333 — Judge Adam B. Abelson (Biden) of the District of Maryland enjoined Trump's order blocking federal funding for DEI programs. On March 14, the Fourth Circuit granted the government's motion for a stay of the preliminary injunction pending appeal.

80. *California v. Department of Education*, No. 1:25-cv-10548 — Judge Myong J. Joun (Biden) of the District of Massachusetts granted a temporary restraining order blocking Trump's withdrawal of funds to schools teaching DEI. The First Circuit denied a motion for stay pending appeal. On April 4, the Supreme Court granted a stay pending appeal, writing "the Government is likely to succeed in showing the District Court lacked jurisdiction" and that the case may need to be brought in the Court of Federal Claims.

81. *Chicago Women in Trades v. Trump*, No. 1:25-cv-02005 — Senior Judge Matthew F. Kennelly (Clinton) of the Northern District of Illinois entered a temporary restraining order commanding the reinstatement of DEI grants.

82. *Doe 1 v. Office of the Director of National Intelligence*, No. 1:25-cv-00300 — Judge Anthony J. Trenga (G.W. Bush) of the Eastern District of Virginia issued an "administrative stay" against firing DEI employees with CIA and DNI. The court then considered and rejected imposing a TRO to the same effect. On March 31, Judge Trenga granted a preliminary injunction enjoining the defendants. On May 6, defendants filed notice of appeal to the Fourth Circuit.

83. *American Federation of Teachers v. U.S. Department of Education*, No. 1:25-cv-00628 — Judge Stephanie A. Gallagher (Trump) of the District of Maryland enjoined the U.S. Department of Education's February 14, 2025 "Dear Colleague Letter" ending diversity, equity, and inclusion practices in schools by threatening to withhold federal funding from those that refuse to comply.

84. *National Education Association v. US Department of Education*, No. 1:25-cv-00091 — Judge Landya B. McCafferty (Obama) of the District of New Hampshire enjoined the U.S. Department of Education's February 14, 2025 "Dear Colleague Letter" ending diversity, equity, and inclusion practices in schools by threatening to withhold federal funding from those that refuse to comply.

85. *NAACP v. U.S. Department of Education*, No. 1:25-cv-01120 — Judge Dabney L. Friedrich (Trump) of the District of D.C. enjoined the U.S. Department of Education's February 14, 2025 "Dear Colleague Letter" ending diversity, equity, and inclusion practices in schools by threatening to withhold federal funding from those that refuse to comply.