

District Judge Thomas S. Zilly

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

BRYAN STANLEY JORDAN MEJIA,

Petitioner,

v.

IMMIGRATION AND CUSTOMS
ENFORCEMENT FIELD OFFICE
DIRECTOR,

Respondent.

Case No. 2:26-cv-00033-TSZ

FEDERAL RESPONDENTS'¹
RESPONSE TO PETITIONER'S
EMERGENCY MOTION FOR
TEMPORARY RESTRAINING ORDER

Noted for Consideration:
April 24, 2026

Respondents ask the Court to deny Petitioner's motion for a temporary restraining order ("TRO") because Petitioner fails to establish any threat of imminent, irreparable harm, as required for injunctive relief. Dkt. No. 17. ("Mot.") or ("Motion"). "It frequently is observed that a preliminary injunction is an extraordinary and drastic remedy, one that should not be granted unless the movant, by a clear showing, carries the burden of persuasion." *Mazurek v. Armstrong*, 520 U.S. 968, 972 (1997) (emphasis in original) (internal quotations omitted); *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 22 (2008).

¹ Respondent Bruce Scott is not a Federal Respondent and is not represented by the U.S. Attorney's Office.

1 “A plaintiff seeking a preliminary injunction must show that he is likely to succeed on the
2 merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the
3 balance of equities tips in his favor, and that an injunction is in the public interest.” Winter, 555
4 U.S. at 20. Alternatively, a plaintiff can show that there are “serious questions going to the merits
5 and the balance of hardships tips sharply towards [plaintiff], as long as the second and third
6 Winter factors are satisfied.” Disney Enters., Inc. v. VidAngel, Inc., 869 F.3d 848, 856 (9th Cir.
7 2017) (internal quotation omitted). Here, Petitioner cannot demonstrate the second Winter factor:
8 irreparable harm.

9 On December 19, 2025, the United States District Court for the Western District of
10 Washington issued General Order 10-25 regarding immigration habeas petitions under 28 U.S.C.
11 § 2241. On January 23, 2026, this Court issued the standard scheduling order in this case as
12 required by General Order 10-25. Dkt. No. 7. Paragraph 3 of the scheduling order mandates that
13 “Respondents shall provide the Petitioner(s) and Petitioner(s)’ counsel in this habeas action at
14 least 48 hours’ notice (or 72 hours’ notice if the period extends into a weekend, holiday, or date
15 the Court is closed) prior to any action to move or transfer any Petitioner(s) from the Western
16 District of Washington or to remove them from the United States.” Id. U.S. Immigration and
17 Customs Enforcement (“ICE”) is aware of the Court’s notice requirement and will comply with
18 the order.

19 Asserting that ICE served him with a notice of imminent removal, Petitioner filed the
20 Motion asking the Court to enjoin ICE from removing him from the United States or transferring
21 him out of this District without “a prior order this Court.” Mot., at 1. On March 13, 2026, ICE
22 filed briefing that expressly stated that Petitioner cannot be removed while Petitioner’s
23 administrative appeal is pending. Dkt. No. 15, at 3. To date, a decision has not been issued. In
24 addition, ICE understands that the agency must abide by the scheduling order’s notice

1 requirements before transfer or removal. As the docket demonstrates, ICE has not filed a notice
2 of imminent removal with the Court.

3 A person must demonstrate “immediate threatened injury” to fulfill the element of
4 irreparable harm. *Caribbean Marine Services Co., Inc. v. Baldrige*, 844 F.2d 668, 674 (9th Cir.
5 1988) (citing *Los Angeles Memorial Coliseum Commission v. National Football League*, 634
6 F.2d 1197, 1201 (9th Cir.1980)). Here, no such “immediate threatened injury” exists.
7 Accordingly, Petitioner has not demonstrated that he will suffer irreparable injury absent the
8 issuance of the TRO and the Motion should be denied.

9 DATED this 10th day of April, 2026.

10 Respectfully submitted,

11 s/ Michelle R. Lambert

MICHELLE R. LAMBERT, NYS #4666657

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16 *Attorney for Respondent*

17 *I certify that this memorandum contains 533*
18 *words, in compliance with the Local Civil Rules.*

CERTIFICATE OF SERVICE

I hereby certify that I am an employee in the Office of the United States Attorney for the Western District of Washington and of such age and discretion as to be competent to serve papers;

I further certify that on this date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notice of such filing to the following CM/ECF participant(s):

- 0 -

I further certify that on this date, I arranged for service of the foregoing on the following non-CM/ECF participant, via Certified Mail, return receipt requested, postage prepaid, addressed as follows:

Bryan Stanley Jordan Mejia, *Pro Se* Petitioner
A# [REDACTED]
NW Detention Center
1623 E. J Street, Suite 5
Tacoma, WA 98421-1615

DATED this 10th day of April, 2026.

s/ Stephanie Huerta-Ramirez
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