

**UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA**

Eccarius v. United States

Eccarius · No. 25-cv-04668-CRB · Decided June 24, 2025

OPINION

1 2 3 4 5 IN THE UNITED STATES DISTRICT COURT 6 FOR THE NORTHERN DISTRICT
OF CALIFORNIA 7 8 ANTHONY CARL ECCARIUS, Case No. 25-cv-04668-CRB 9 Plaintiff,
ORDER DENYING MOTION FOR A 10 v. TEMPORARY RESTRAINING ORDER 11
UNITED STATES OF AMERICA, 12 Defendant. 13 Plaintiff Anthony Carl Eccarius seeks ex
parte a temporary restraining order to 14 enjoin the President of the United States and the
“Department of Governmental 15 Enforcement” (by which he apparently means the Department
of Government Efficiency, 16 or DOGE) from “all [] operations, funding, regulatory actions, or
enforcement” and to 17 enjoin “any military or National Guard deployment in law enforcement
and surveillance 18 functions.” Mot. (dkt.

8) at 2–3. Eccarius states that he seeks an injunction (as well as \$21 19 million in “symbolic
damages”) in order “to signal a necessary public reckoning and 20 restoration of constitutional
fidelity.” Id. at 3. 21 Eccarius states that he “faces irreparable harm,” but he does not identify how
he 22 will be harmed. Id. at 2. Though he expresses concern that “unchecked federal 23
enforcement displaces lawful federalism and severs the intended balance among the 24 People, the
States, and the Constitution,” id., that injury is not particularized to him.

25 Indeed, Eccarius’s complaint states only that he was involved in a labor dispute in 2021 26 that
apparently gives rise to this case. See Compl. (dkt. 1) ¶¶ 9–14 (describing a labor 27 grievance
that Eccarius says gives rise to this case). It is far from clear that such a dispute 1 the National
Guard. See *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 560–61 (1992) 2 (requiring among other
elements that a plaintiff’s injury be “particularized,” that it be 3 “fairly traceable to the challenged
action of the defendant,” and that it be “‘likely,’ as 4 opposed to merely ‘speculative,’ that the
injury will be ‘redressed by a favorable 5 decision’” (cleaned up) (citations omitted)).

6 Eccarius’s complaint purports to state a claim for denial of due process arising from 7 his labor
dispute, and he seeks relief on that basis. Compl. ¶¶ 16–18 & at 4. Construed 8 liberally, such a
claim does not obviously fail for lack of jurisdiction. But Eccarius’s 9 motion for a temporary
restraining order seeks relief far beyond that—relief that he cannot 10 pursue.

Accordingly, the Court DENIES his motion for a temporary restraining order. 11 IT IS SO
ORDERED. 12 Dated: June 24, 2025 CHARLES R. BREYER 13 United States District Judge 14
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