

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
WASHINGTON**

Dominguez-Ruiz v. Noem

No. 2:26-cv-00189-TMC (W.D. Wash. Jan. 27, 2026) · No. 2:26-cv-00189-TMC · Decided January 27, 2026

SUMMARY

The United States District Court for the Western District of Washington denied Amady Lazaro Dominguez-Ruiz’s motion for a temporary restraining order seeking immediate release from immigration detention and preventing his transfer. The court held that he had not shown a likelihood of irreparable harm because the habeas petition was already scheduled for prompt consideration and no facts indicated that a transfer was likely. The court noted that an existing scheduling order required advance notice before transfer or removal.

OPINION

1 2 3 4 5 UNITED STATES DISTRICT COURT 6 WESTERN DISTRICT OF WASHINGTON
AT TACOMA 7 AMADY LAZARO DOMINGUEZ-RUIZ, Case No. 2:26-cv-00189-TMC 8
Petitioner, ORDER DENYING MOTION FOR TRO 9 v. 10 KRISTI NOEM, et al., 11
Respondents. 12 13 14 This matter comes before the Court on Petitioner’s motion for a temporary
restraining 15 order (“TRO”). Dkt. 3.

For the reasons described below, the Court DENIES the motion. 16 Petitioner is a citizen of Cuba
who has resided in the United States since he arrived on 17 May 17, 2022, and was released after
a brief detention with a notice to appear. Dkt. 1 ¶¶ 15–16. 18 Petitioner was re-detained in
immigration court after an Immigration Judge (“IJ”) dismissed his 19 proceedings and placed him
in expedited removal on May 27, 2025.

Id. ¶ 17. Petitioner is 20 currently detained at the Northwest Immigration and Customs
Enforcement Processing Center 21 (“NWIPC”). Id. ¶ 1. 22 On January 18, 2026, Petitioner filed a
petition for writ of habeas corpus arguing that his 23 detention violated his Due Process rights and
the Immigration and Nationality Act. Id. ¶¶ 23–46. 24 1 On January 20, the Court issued a
scheduling order requiring Respondents to provide 48 hours’ 2 notice before any attempt to
transfer Petitioner out of this district or remove him from the United 3 States.

Dkt. 2. On January 27, Petitioner filed a motion for a temporary restraining order 4 requiring his
immediate release from custody and preventing Respondents from transferring 5 Petitioner out of
this district. Dkt. 3. 6 A party seeking a TRO “must establish that he is likely to succeed on the
merits, that he 7 is likely to suffer irreparable harm in the absence of preliminary relief, that the

balance of 8 equities tips in his favor, and that an injunction is in the public interest.” *Winter v. Nat.*

Res. Def. 9 Council, Inc., 555 U.S. 7, 20 (2008); *United States v. City of Seattle*, 474 F. Supp. 3d 1181, 1185 10 (W.D. Wash. 2020) (“The standard for issuing a TRO is the same as the standard for issuing a 11 preliminary injunction.”). When a party seeks a TRO against the government, the third and 12 fourth factors merge. *Drakes Bay Oyster Co. v. Jewell*, 747 F.3d 1073, 1092 (9th Cir.

2014). In 13 the Ninth Circuit, a party may also obtain a TRO by demonstrating “‘serious questions going to 14 the merits’ and a balance of hardships that tips sharply” in the party’s favor, so long as the party 15 also shows “that there is a likelihood of irreparable injury and that the injunction is in the public 16 interest.” *Fraihat v. U.S. Immigr. & Customs Enf’t*, 16 F.4th 613, 635 (9th Cir.

2021) (quoting 17 *All. for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1135 (9th Cir. 2011)); *City of Seattle*, 474 F. 18 Supp. 3d at 1185–87 (applying the “serious questions” standard to a request for a TRO). 19 Petitioner fails to show a likelihood of irreparable harm in the absence of preliminary 20 relief.

The Court has scheduled briefing on the merits of his habeas petition and noted the 21 petition for consideration on February 9, 2026—less than two weeks from today. Dkt. 2. The 22 Court will address the petition promptly once the briefing is complete. Petitioner argues that 23 continued detention constitutes a loss of physical liberty and economic harm from loss of work.

24 Dkt. 3 at 2–3. But Petitioner fails to specify how these harms might intensify between now and 1 when the Court decides on the merits of the habeas petition. Instead, Petitioner’s TRO mostly 2 seeks to obtain the relief sought in his habeas petition on an expedited basis.

As explained in this 3 Court’s General Order 10-25 on immigration habeas petitions, this type of filing is discouraged, 4 and “[m]otions for temporary restraining orders should be reserved for matters where the 5 petitioner alleges imminent, irreparable harm, such as imminent removal from the United 6 States.” General Order 10-25 (Dec. 18, 2025). This District is handling an unprecedented volume 7 of immigration habeas cases, all of which, by their very nature, concern petitioners who allege 8 they are unlawfully in custody.

The filing of emergency motions in situations where there is not 9 imminent, irreparable harm does nothing but delay the overall adjudication of these important 10 cases. Furthermore, the Court’s scheduling order provides a procedure for either party to request 11 expedited briefing on the habeas petition (which Petitioner has not sought). See Dkt. 2 at 2–3.

12 Petitioner also provides no facts—such as any statements by NWIPC officials— 13 indicating that his transfer out of this district is likely. Consistent with General Order 10-25 and 14 this

Court's scheduling order, Respondents must provide Petitioner "least 48 hours' notice (or 72 15 hours' notice if the period extends into a weekend, holiday, or date the Court is closed) prior to 16 any action to move or transfer [him] from the Western District of Washington or to remove [him] 17 from the United States." Dkt.

2 ¶ 3. This notice allows Petitioner and his counsel to seek 18 emergency relief if needed. No other protections are warranted now. 19 Because Petitioner has not met the standard for a TRO, the Court DENIES his motion. 20 Dkt. 3. 21 // 22 // 23 24 1 Dated this 27th day of January, 2026. 2 a 3 Tiffany M. Cartwright 4 United States District Judge 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24