

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

Samantha Guevera v. The Village of Freeport, et al.

Guevera v. Village of Freeport, No. 25-CV-4061-SJB-JMW (E.D.N.Y. Dec. 4, 2025) · No. 25-CV-4061-SJB-JMW · Decided December 4, 2025

SUMMARY

The United States District Court for the Eastern District of New York denied Samantha Guevera’s motion for a preliminary injunction seeking the return of her vehicle, which the Village of Freeport had seized under its scofflaw policy. The Court held that Guevera had not demonstrated the irreparable harm required for preliminary relief, citing her delay, the speculative nature of alleged future eviction-related harm, and the availability of monetary damages. The Court also denied her alternative request for an immediate hearing.

CASE DETAILS

COURT	United States District Court for the Eastern District of New York
WRITING FOR THE COURT	Sanket J. Bulsara
JURISDICTION	United States District Court for the Eastern District of New York
DECIDED	December 4, 2025
DOCKET	25-CV-4061-SJB-JMW
DISPOSITION	denied
PROCEDURAL POSTURE	Plaintiff moved for a temporary restraining order and preliminary injunction requiring defendants to release her seized vehicle or provide an immediate hearing concerning continued possession of it. The court had denied the TRO and, on the present motion, denied preliminary injunctive relief and the alternative hearing request.
STANDARD OF REVIEW	A preliminary injunction requires a clear showing of irreparable harm, either a likelihood of success on the merits or serious questions on the merits combined with a decidedly favorable balance of hardships, and that an injunction is in the public interest. A mandatory injunction or one providing substantially all requested relief requires a strong showing of irreparable harm and a clear or substantial likelihood of success.
PRECEDENTIAL VALUE	unpublished district court memorandum and order

TOPICS

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QUESTIONS PRESENTED

1. Whether Guevera established irreparable harm sufficient to support a preliminary injunction requiring return of her vehicle or an immediate hearing.
2. Whether the alleged Fourth Amendment and Fourteenth Amendment violations entitled Guevera to a presumption of irreparable harm.
3. Whether the alleged injury was actual and imminent and could be remedied by monetary damages.

HOLDINGS

1. Guevera failed to establish the irreparable harm required for a preliminary injunction because her unexplained delay undermined any presumption of irreparable harm, her alleged future consequences were not shown to be actual and imminent, and the alleged vehicle-related injury was compensable through money damages.
2. A Fourth Amendment violation may support a rebuttable presumption of irreparable harm, but the presumption is not automatic or conclusive and may be overcome by delay and the absence of actual, imminent, noncompensable injury.
3. The request for an immediate hearing was denied because it was another form of preliminary relief and Guevera had not established irreparable harm warranting such relief.

KEY QUOTATIONS

“In the absence of a showing of irreparable harm, a motion for a preliminary injunction should be denied.”
(Discussion)

“This ‘failure to act sooner undercuts the sense of urgency that ordinarily accompanies a motion for preliminary relief and suggests that there is, in fact, no irreparable injury.’” (Discussion)

“Because the Court concludes Guevera has not shown the necessary irreparable harm to secure a preliminary injunction, the Court need not resolve whether the heightened standard of a prohibitive injunction applies here, nor the likelihood of success on the merits or the balance of hardships.” (Conclusion)

FACTUAL BACKGROUND

Freeport seized Guevera's 2011 Jeep Grand Cherokee on July 18, 2025 under a policy authorizing warrantless seizures of vehicles associated with unpaid parking tickets and transferred it to JCB & Sons for towing and storage. Guevera alleged that she lacked notice of the outstanding tickets and that Freeport lacked adequate pre- or post-seizure procedures, although the Village Code provided for a retention hearing and she received notice of that right. A hearing officer found seven valid unpaid tickets and reduced the towing and storage charges to

\$746.64. Guevera alleged that the loss of the vehicle contributed to job loss and financial instability, but the court found her assertions about causation and possible eviction insufficiently detailed and speculative.

PROCEDURAL HISTORY

Guevera filed the action on July 23, 2025 and amended her complaint on August 7, 2025, asserting constitutional claims under 42 U.S.C. § 1983, New York constitutional claims, declaratory and monetary relief, and conversion claims. The Village seized her vehicle on July 18, 2025 under its policy concerning unpaid parking tickets. After a retention hearing occurred on October 17, 2025, Guevera moved for emergency relief on November 25, 2025. The district court denied the TRO, ordered briefing, and denied the preliminary injunction because Guevera failed to establish irreparable harm.

DISPOSITION

denied

CASES CITED

- Toyota Lease Trust v. Village of Freeport, No. 20-CV-2207, 2023 WL 4443992, at *8–*10 (E.D.N.Y. Jan. 24, 2023), report and recommendation adopted in part, 2023 WL 4449333 (Mar. 30, 2023)
- Higgs v. Village of Freeport, No. 23-CV-3943 (E.D.N.Y. June 18, 2025), report and recommendation; Order dated Sep. 22, 2025
- Benisek v. Lamone, 585 U.S. 155, 158 (2018)
- Winter v. Nat. Res. Def. Council, Inc., 555 U.S. 7, 20, 24 (2008)
- Daileader v. Certain Underwriters at Lloyds London Syndicate 1861, 96 F.4th 351, 356, 358 (2d Cir. 2024)
- State Farm Mut. Auto. Ins. Co. v. Tri-Borough NY Med. Prac. P.C., 120 F.4th 59, 79 (2d Cir. 2024)
- N. Am. Soccer League, LLC v. U.S. Soccer Fed’n, Inc., 883 F.3d 32, 36–37 (2d Cir. 2018)
- Tom Doherty Assocs., Inc. v. Saban Entm’t, Inc., 60 F.3d 27, 34, 39 (2d Cir. 1995)
- Mastrio v. Sebelius, 768 F.3d 116, 120 (2d Cir. 2014) (per curiam)
- Yang v. Kosinski, Yang v. Kosinski, 960 F.3d 119, 127–28 (2d Cir. 2020)
- Rodriguez ex rel. Rodriguez v. DeBuono, 175 F.3d 227, 233–35 (2d Cir. 1999)
- New York ex rel. Schneiderman v. Actavis PLC, 787 F.3d 638, 660 (2d Cir. 2015)
- Elrod v. Burns, 427 U.S. 347, 373 (1976)
- Nat’l Ass’n for Gun Rts. v. Lamont, 153 F.4th 213, 248 (2d Cir. 2025)
- Brewer v. W. Irondequoit Cent. Sch. Dist., 212 F.3d 738, 744 (2d Cir. 2000)
- Covino v. Patrisi, 967 F.2d 73, 77 (2d Cir. 1992)
- Tough Traveler, Ltd. v. Outbound Prods., 60 F.3d 964, 968 (2d Cir. 1995)
- Tripathy v. Lockwood, No. 22-0949, 2022 WL 17751273, at *2 (2d Cir. Dec. 19, 2022)
- Two Hands IP LLC v. Two Hands Am., Inc., 563 F. Supp. 3d 290, 301 (S.D.N.Y. 2021)
- Weight Watchers Int’l, Inc. v. Luigino’s, Inc., 423 F.3d 137, 144 (2d Cir. 2005)

- St. Joseph's Hosp. Health Ctr. v. Am. Anesthesiology of Syracuse, P.C., 131 F.4th 102, 106, 108 (2d Cir. 2025)
- Kane v. De Blasio, 19 F.4th 152, 171–72 (2d Cir. 2021) (per curiam)
- Lost Lake Holdings LLC v. Town of Forestburgh, No. 22-CV-10656, 2023 WL 8947154, at *8 (S.D.N.Y. Dec. 28, 2023)
- Perry v. Perry, No. 12-CV-5727, 2012 WL 12875462, at *2 (E.D.N.Y. Nov. 28, 2012)

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