

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Quoc Chi Hoac v. Moises Becerra, et al.

Quoc Chi Hoac v. Moises Becerra, No. 2:25-cv-01740-DC-JDP (E.D. Cal. July 16, 2025) · No. 2:25-cv-01740-DC-JDP · Decided July 16, 2025

SUMMARY

The United States District Court for the Eastern District of California granted Quoc Chi Hoac’s motion for a temporary restraining order and preliminary injunction concerning his detention by Immigration and Customs Enforcement. The court found Hoac was likely to succeed on claims that his release was not properly revoked under 8 C.F.R. § 241.13 and that his removal to Vietnam was not reasonably foreseeable. The court ordered his immediate release and enjoined respondents from re-detaining or removing him to a third country without notice and an opportunity to be heard.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 16, 2025
DOCKET	2:25-cv-01740-DC-JDP
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought habeas relief under 28 U.S.C. § 2241 and moved for a temporary restraining order and preliminary injunction challenging his re-detention by ICE. The court treated the renewed motions as a single motion for preliminary injunction and granted interim injunctive relief.
STANDARD OF REVIEW	A temporary restraining order and preliminary injunction are governed by substantially identical standards. The movant must show a likelihood of success on the merits, a likelihood of irreparable harm absent relief, that the balance of equities favors the movant, and that an injunction is in the public interest.
PRECEDENTIAL VALUE	nonprecedential

TOPICS

- immigration detention
- injunctions
- removal proceedings
- procedural due process
- immigration

PRACTICE AREAS

immigration

civil procedure

constitutional law

remedies

QUESTIONS PRESENTED

1. Whether Petitioner's renewed motion for temporary restraining order and preliminary injunction was duplicative of his previously denied motion.
2. Whether Petitioner was likely to succeed on his claim that ICE unlawfully revoked his release and re-detained him without complying with 8 C.F.R. § 241.13(i)(3)'s informal-interview requirement.
3. Whether Respondents showed changed circumstances establishing a significant likelihood that Petitioner would be removed to Vietnam in the reasonably foreseeable future under 8 C.F.R. § 241.13(i)(2).
4. Whether the Winter factors, including irreparable harm, the balance of equities, and the public interest, supported preliminary injunctive relief.
5. Whether immediate release was necessary to restore the status quo preceding Petitioner's allegedly unlawful re-detention.

HOLDINGS

1. The renewed motions were not duplicative because they followed an amended petition and sought relief substantively different from the relief considered in the initial order.
2. Petitioner was likely to succeed on his claim that his re-detention was unlawful because Respondents did not show that ICE provided the informal interview and opportunity to respond required by 8 C.F.R. § 241.13(i)(3).
3. Petitioner was likely to succeed on his claim that Respondents could not demonstrate changed circumstances establishing a significant likelihood of removal to Vietnam in the reasonably foreseeable future.
4. The Winter factors favored granting a preliminary injunction because Petitioner showed a likelihood of success, irreparable harm from continued detention, equities favoring release, and a public interest in preventing unlawful detention.
5. Immediate release was required to restore the status quo ante because Petitioner had been on supervised release before the challenged re-detention.

KEY QUOTATIONS

“The plain language of § 241.13(i)(2), does not allow a court, in the first instance, to make an individualized finding that a changed circumstances has occurred.” (Analysis, section B.1)

“Respondents are ORDERED to immediately release Petitioner from Respondents’ custody;” (Conclusion)

“Respondents are ENJOINED AND RESTRAINED from re-detaining or removing Petitioner to a third country without notice and an opportunity to be heard;” (Conclusion)

FACTUAL BACKGROUND

Petitioner, a Vietnamese national subject to a final removal order, had been released under supervision in 2023 and remained on supervised release for nearly two years. ICE re-detained him on June 4, 2025, while a travel-document request was still being processed; as of July 11, 2025, no travel document to Vietnam had been obtained. Respondents did not establish that Petitioner received the informal interview required after revocation of release, and they did not provide sufficient evidence that changed circumstances made removal to Vietnam significantly likely in the reasonably foreseeable future. Before re-detention, Petitioner had complied with supervision, attended weekly ICE meetings, maintained employment, and reestablished family and housing ties.

PROCEDURAL HISTORY

Petitioner filed a § 2241 habeas petition and an initial motion for a temporary restraining order on June 20, 2025. The court denied the initial motion on June 30 because the requested relief would have required the court to make the initial changed-circumstances determination before any re-detention. Petitioner then filed an amended petition and renewed motions seeking substantively different relief. The court granted the renewed motions, ordered immediate release, enjoined re-detention or removal to a third country without notice and an opportunity to be heard, and stated that it would set an expedited briefing schedule on the habeas petition.

DISPOSITION

other

CASES CITED

- Doe v. Becerra, No. 25-cv-00647-DJC-DMC, 2025 WL 691664, at *3 (E.D. Cal. Mar. 3, 2025)
- Stuhlberg International Sales Co. v. John D. Brush & Co., 240 F.3d 832, 839 n.7 (9th Cir. 2001)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20, 22 (2008)
- Cal. Rifle & Pistol Ass'n, Inc. v. Los Angeles County Sheriff's Department, 745 F. Supp. 3d 1037, 1048 (C.D. Cal. 2024)
- Johnson v. Couturier, 572 F.3d 1067, 1083 (9th Cir. 2009)
- American Hotel & Lodging Ass'n v. City of Los Angeles, 119 F. Supp. 3d 1177, 1185 (C.D. Cal. 2015)
- Zadvydas v. Davis, 533 U.S. 678, 699 (2001)
- Van Nguyen v. Hyde, No. 25-cv-11470-MJJ, 2025 WL 1725791, at *3–4 (D. Mass. June 20, 2025)
- Kong v. United States, 62 F.4th 608, 620 (1st Cir. 2023)
- United States ex rel. Accardi v. Shaughnessy, 347 U.S. 260, 268 (1954)
- Wing Nuen Liu v. Carter, No. 25-cv-03036-JWL, 2025 WL 1696526, at *2 (D. Kan. June 17, 2025)
- Sering Ceesay v. Kurzdorfer, No. 25-cv-00267-LJV, 2025 WL 1284720, at *21 (W.D.N.Y. May 2, 2025)
- Ahmad v. Whitaker, No. 18-cv-00287-JLR-BAT, 2018 WL 6928540, at *5 (W.D. Wash. Dec. 4, 2018)
- Hoi Thanh Duong v. Tate, No. 24-cv-04119-H, 2025 WL 933947, at *4 (S.D. Tex. Mar. 27, 2025)
- Trinh v. Homan, 446 F. Supp. 3d 1077, 1083 (C.D. Cal. 2020)
- Hoang Tuong Nguyen v. Field Office Director, San Francisco Field Office, No. 24-cv-01579-KES-EPG, 2025 WL 1864885 (E.D. Cal. June 3, 2025)
- Hernandez v. Sessions, 872 F.3d 976, 995–996, 999 (9th Cir. 2017)

- *Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012)
- *Elrod v. Burns*, 427 U.S. 347, 373 (1976)
- *Warsoldier v. Woodford*, 418 F.3d 989, 1001–02 (9th Cir. 2005)
- *Drakes Bay Oyster Co. v. Jewell*, 747 F.3d 1073, 1092 (9th Cir. 2014)
- *Nken v. Holder*, 556 U.S. 418, 435 (2009)
- *Vargas v. Jennings*, No. 20-cv-5785-PJH, 2020 WL 5074312, at *4 (N.D. Cal. Aug. 23, 2020)
- *GoTo.com, Inc. v. Walt Disney Co.*, 202 F.3d 1199, 1210 (9th Cir. 2000)
- *Tanner Motor Livery, Ltd. v. Avis, Inc.*, 316 F.2d 804, 809 (9th Cir. 1963)
- *Ariz. Dream Act Coalition v. Brewer*, 757 F.3d 1053, 1061 (9th Cir. 2014)
- *McCormack v. Hiedeman*, 694 F.3d 1004, 1020 (9th Cir. 2012)
- *Doe v. Garland*, 109 F.4th 1188, 1197 (9th Cir. 2024)