

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
LOUISIANA, ALEXANDRIA DIVISION

Jorge Antonio Lopez Valasquez v. Judge S. Maurice Hicks, Jr., Brian  
Acuna, et al.

Lopez Valasquez · No. 1:26-0024 · Decided January 6, 2026

SUMMARY

The United States District Court for the Western District of Louisiana denied Jorge Antonio Lopez Valasquez’s motion for a temporary restraining order and preliminary injunction. The court declined to enjoin his removal or transfer while his habeas petition concerning immigration detention and a potential bond hearing proceeds on an expedited briefing schedule.

CASE DETAILS

|                    |                                                                                                                                                                                                                                                                                                                                                                               |
|--------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT              | United States District Court for the Western District of Louisiana, Alexandria Division                                                                                                                                                                                                                                                                                       |
| JURISDICTION       | United States District Court for the Western District of Louisiana, Alexandria Division                                                                                                                                                                                                                                                                                       |
| DECIDED            | January 6, 2026                                                                                                                                                                                                                                                                                                                                                               |
| DOCKET             | 1:26-0024                                                                                                                                                                                                                                                                                                                                                                     |
| DISPOSITION        | denied                                                                                                                                                                                                                                                                                                                                                                        |
| PROCEDURAL POSTURE | Habeas petitioner moved for a temporary restraining order and preliminary injunction barring his removal from the United States and transfer outside the court's jurisdiction while his habeas petition was pending.                                                                                                                                                          |
| STANDARD OF REVIEW | Whether to grant or deny a temporary restraining order lies within the district court's discretion. The movant must demonstrate a substantial likelihood of success on the merits, a substantial threat of irreparable injury, that the threatened injury outweighs the threatened harm to the opposing party, and that the injunction will not disserve the public interest. |
| PRECEDENTIAL VALUE | unpublished, nonprecedential district-court order                                                                                                                                                                                                                                                                                                                             |
| PARTIES            | Jorge Antonio Lopez Valasquez v. Judge S. Maurice Hicks, Jr., Brian Acuna, Department of Homeland Security, other Respondents                                                                                                                                                                                                                                                 |

## TOPICS

immigration detention

federal habeas corpus

injunctions

removal proceedings

immigration

## PRACTICE AREAS

immigration law

federal habeas corpus

injunctive relief

immigration detention

## QUESTIONS PRESENTED

1. Whether the petitioner was entitled to a temporary restraining order or preliminary injunction prohibiting his removal from the United States during the pendency of his habeas petition.
2. Whether the petitioner was entitled to injunctive relief prohibiting his transfer to another immigration detention facility.
3. Whether injunctive relief duplicating the relief sought in the habeas petition could be used to obtain an expedited detention or bond hearing.

## HOLDINGS

1. The motion for a temporary restraining order and preliminary injunction was denied because petitioner failed to establish the requirements for extraordinary injunctive relief, including a substantial likelihood of success and a substantial threat of irreparable injury.
2. Petitioner was not entitled to an injunction against transfer because speculation or conclusory allegations of irreparable injury are insufficient, and he had not shown a likelihood that he would be transferred.
3. The court would not use injunctive relief to bypass the habeas process or decide immediately the detention relief sought in the habeas petition.

## KEY QUOTATIONS

*“An applicant for a Temporary Restraining Order must demonstrate each of the following: (1) a substantial likelihood his cause will succeed on the merits, (2) a substantial threat of irreparable injury if the injunction is not granted, (3) the threatened injury outweighs the threatened harm the injunction may do to the opposing party, and (4) granting the injunction will not disserve the public interest.”* (Order)

*“Seeking injunctive relief that mirrors the relief requested in the habeas petition is nothing more than a motion to decide the habeas petition now.”* (Order)

*“Mere speculation or conclusory allegations of an irreparable injury are insufficient to entitle a movant to injunctive relief.”* (Order)

## FACTUAL BACKGROUND

Jorge Antonio Lopez Valasquez was detained in immigration custody and sought relief as a member of the Bond Denial Class. He requested an order requiring his release or a bond hearing and separately sought to prevent the government from removing him from the United States or transferring him to another facility while the habeas action proceeded. The court found that he had not shown a likelihood of transfer or sufficient irreparable injury.

## PROCEDURAL HISTORY

Petitioner filed a habeas petition on January 5, 2026, seeking release from immigration custody or, alternatively, a bond hearing under 8 U.S.C. § 1226(a). He filed the motion for temporary restraining order and preliminary injunction the following day. The district court denied the motion and directed that the habeas case proceed on an expedited briefing schedule after service on the respondents.

## DISPOSITION

denied

## CASES CITED

- *Misquitta v. Warden Pine Prairie ICE Processing Center*, 353 F. Supp. 518, 521 (W.D. La. Nov. 16, 2018)
- *Piedmont Heights Civic Club, Inc. v. Moreland*, 637 F.2d 430 (5th Cir. 1981)
- *Moore v. Brown*, 868 F.3d 398, 402 (5th Cir. 2017)
- *Albright v. City of New Orleans*, 46 F. Supp. 2d 523, 532 (E.D. La. 1999)
- *Suburban Propane, L.P. v. D & S GCTX LLC*, 2025 WL 2429087, at \*2 (W.D. Tex. 2025)
- *Anderson v. Jackson*, 556 F.3d 351, 355–56 (5th Cir. 2009)
- *Garcia-Aleman v. Thompson*, No. 5:25-CV-00886, ECF No. 20 (S.D. Tex. Oct. 30, 2025)
- *Lotter v. Lyons*, 2025 WL 2946630, at \*1 (W.D. Tex. Aug. 22, 2025)

## OPINION

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA ALEXANDRIA DIVISION JORGE ANTONIO LOPEZ VALASQUEZ CIVIL ACTION NO. 1:26-0024 VERSUS JUDGE S. MAURICE HICKS, JR. BRIAN ACUNA, ET AL. MAGISTRATE JUDGE WHITEHURST ORDER Before the Court is a Motion for Temporary Restraining Order and Preliminary Injunction (Record Document 4) filed by the habeas petitioner in this case, Jorge Antonio Lopez Valasquez (“Petitioner”).

On January 5, 2026, Petitioner filed his Habeas Petition (Record Document 1), followed by the instant Motion the next day. The Habeas Petition seeks enforcement of his rights as a member of the Bond Denial Class, more specifically he asks the Court to order his release from immigration custody, or in the alternative, to order the Executive Office of Immigration Review (“EOIR”) to conduct a bond hearing under 8 U.S.C. § 1226(a).

See Record Document 1 at 3–4. The instant motion seeks a TRO and preliminary injunction enjoining the Department of Homeland Security (“DHS”) and all other Respondents from removing Petitioner from the United States and from transferring him out of the jurisdiction of this Court during the pendency of his Habeas Petition. See Record Document 4-2 at 7. An applicant for a Temporary Restraining Order must demonstrate each of the following: (1) a substantial likelihood his cause will succeed on the merits, (2) a substantial threat of irreparable injury if the

injunction is not granted, (3) the threatened injury outweighs the threatened harm the injunction may do to the opposing party, and (4) granting the injunction will not disserve the public interest.

See *Misquitta v. Warden Pine Prairie ICE Processing Center*, 353 F. Supp. 518, 521 (W.D. La. Nov. 16, 2018) (citing *Piedmont Heights Civic Club, Inc. v. Moreland*, 637 F.2d 430 (5th Cir. 1981)). The decision of whether to grant or deny a TRO lies in the district court's discretion. See *Moore v. Brown*, 868 F.3d 398, 402 (5th Cir. 2017). And courts should deny such motions more often than not.

See *Albright v. City of New Orleans*, 46 F.Supp.2d 523, 532 (E.D. La. 1999) (explaining that temporary restraining orders are “extraordinary relief and rarely issued.”); see also *Suburban Propane, L.P. v. D & S GCTX LLC*, 2025 WL 2429087, at \*2 (W.D. Tex. 2025) (holding that the extraordinary relief under Rule 65 must be “unequivocally show[n].”); see also *Anderson v. Jackson*, 556 F.3d 351, 355–56 (5th Cir.

2009) (“Only under ‘extraordinary circumstances’ will this court reverse the denial of a preliminary injunction.”). Petitioner seeks immediate relief in the form of an order prohibiting his removal or transfer so that he can challenge his immigration detention.

To the extent petitioner seeks to expedite a detention hearing, the Court considers this to be a shortcut around the habeas process. Seeking injunctive relief that mirrors the relief requested in the habeas petition is nothing more than a motion to decide the habeas petition now. See *Garcia-Aleman v. Thompson*, No. 5:25-CV-00886, ECF No. 20 (S.D. Tex. Oct. 30, 2025).

As for Petitioner's request that the government be prohibited from transferring him, “[m]ere speculation or conclusory allegations of an irreparable injury are insufficient to entitle a movant to injunctive relief.” *Lotter v. Lyons*, 2025 WL 2946630, at \*1 (W.D. Tex. Aug. 22, 2025). Petitioner has failed to show a likelihood that he will be transferred to another facility, and the Court is reluctant to set a precedent that would interfere with the government's need to transfer any immigration detainee with a pending habeas petition.

The case will proceed on an expedited briefing schedule before Magistrate Judge Whitehurst when the Respondents have been served. Accordingly, IT IS ORDERED that Petitioner's Motion for Temporary Restraining Order and Preliminary Injunction (Record Document 4) is hereby DENIED. **THUS DONE AND SIGNED**, in Shreveport, Louisiana, this 6th day of January, 2026.  
Kk Grtsces-/ UNITED STATES DISTRICT JUDGE