

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Ingerman Javier P.S. v. Timothy S. Robbins, et al.

No. 1:26-cv-00128-KES-SKO (HC), Doc. 5 · No. No. 1:26-cv-00128-KES-SKO (HC) · Decided January 9,  
2026

SUMMARY

The United States District Court for the Eastern District of California converted petitioner Ingerman Javier P.S.’s motion for a temporary restraining order into a motion for a preliminary injunction and granted it. The court ordered respondents to release petitioner immediately and barred re-detention absent clear and convincing evidence at a pre-deprivation bond hearing that petitioner is a flight risk or danger to the community.

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            | January 9, 2026                                                                                                                                                                                                                                                                                                                                                                     |
| DOCKET             | No. 1:26-cv-00128-KES-SKO (HC)                                                                                                                                                                                                                                                                                                                                                      |
| DISPOSITION        | other                                                                                                                                                                                                                                                                                                                                                                               |
| PROCEDURAL POSTURE | Petitioner moved for a temporary restraining order in a habeas proceeding challenging immigration detention. After ordering respondents to show cause and address conversion of the motion, the court converted the motion to one for a preliminary injunction and granted it.                                                                                                      |
| STANDARD OF REVIEW | The opinion does not expressly state a standard of review; it applies the standards governing preliminary injunctive relief and the conditions for re-detention described in the order.                                                                                                                                                                                             |
| PRECEDENTIAL VALUE | Unpublished district court order; persuasive authority only.                                                                                                                                                                                                                                                                                                                        |
| PARTIES            | Ingerman Javier P.S. v. Timothy S. Robbins, Field Office Director of the Los Angeles Field Office of U.S. Immigration and Customs Enforcement, Todd Lyons, Acting Director of United States Immigration and Customs Enforcement, U.S. Department of Homeland Security, Kristi Noem, Secretary of the United States Department of Homeland Security, Christopher Chestnut, Warden of |

## TOPICS

immigration detention

injunctions

removal proceedings

civil procedure

## PRACTICE AREAS

immigration detention

habeas corpus

preliminary injunctions

civil procedure

## QUESTIONS PRESENTED

1. Whether the motion for a temporary restraining order should be converted to a motion for a preliminary injunction.
2. Whether petitioner was entitled to immediate release and protection against re-detention absent specified procedural and evidentiary safeguards.
3. Whether the security requirement under Federal Rule of Civil Procedure 65(c) should be waived.

## HOLDINGS

1. The motion for a temporary restraining order was properly converted to a motion for a preliminary injunction because respondents identified no factual or legal distinction warranting a different result and did not oppose conversion or request a hearing.
2. Petitioner was entitled to immediate release, and respondents were enjoined from re-detaining him unless they demonstrated by clear and convincing evidence at a pre-deprivation bond hearing before a neutral decisionmaker that he was a flight risk or danger to the community such that physical custody was legally justified.
3. The security requirement under Federal Rule of Civil Procedure 65(c) was waived.

## KEY QUOTATIONS

*“Respondents are ORDERED to release petitioner immediately. Respondents are ENJOINED AND RESTRAINED from re-detaining petitioner unless they demonstrate, by clear and convincing evidence at a pre-deprivation bond hearing before a neutral decisionmaker, that petitioner is a flight risk or danger to the community such that his physical custody is legally justified.” (at 2)*

*“The bond requirement of Federal Rule of Civil Procedure 65(c) is waived.” (at 2)*

## FACTUAL BACKGROUND

Petitioner was held in immigration detention. He sought emergency relief through a motion for temporary restraining order. Respondents did not identify any factual or legal issue distinguishing petitioner's circumstances from those in the court's cited prior detention orders.

## PROCEDURAL HISTORY

The court directed respondents to identify any factual or legal distinctions between this case and several prior detention-related orders and to state whether they opposed conversion of the motion or requested a hearing. Respondents identified no distinguishing issues, did not object to conversion, and did not request a hearing. The court converted the motion to a preliminary-injunction motion, ordered petitioner's immediate release, imposed conditions on any re-detention, waived the Rule 65(c) security requirement, and referred the matter to the assigned magistrate judge for further proceedings.

## DISPOSITION

other

## REMAND INSTRUCTIONS

The matter was referred to the assigned magistrate judge for further proceedings, including preparation of findings and recommendations on the petition or other appropriate action.

## CASES CITED

- Clene C.D. v. Robbins, No. 1:25-CV-01463-KES-SKO (HC), 2025 WL 3492118 (E.D. Cal. Dec. 4, 2025)
- Carmen G.C. v. Robbins, No. 1:25-CV-01648-KES-HBK (HC), 2025 WL 3521304 (E.D. Cal. Dec. 8, 2025)
- Bilal A. v. Wofford, No. 1:25-CV-01715-KES-HBK (HC), 2025 WL 3648366 (E.D. Cal. Dec. 16, 2025)
- W.V.S.M. v. Wofford, No. 1:25-CV-01489-KES-HBK (HC), 2025 WL 3236521 (E.D. Cal. Nov. 19, 2025)
- Diaz v. Brewer, 656 F.3d 1008, 1015 (9th Cir. 2011)
- Pinchi v. Noem, No. 25-CV-05632-RMI (RFL), 2025 WL 1853763, at \*4 (N.D. Cal. July 4, 2025)

## INSTRUCTIONS FOR AN AI ASSISTANT

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