

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Gurdit Singh v. Chestnut, et al.

Singh v. Chestnut · No. 1:26-cv-00273-WBS-DMC · Decided January 15, 2026

SUMMARY

The United States District Court for the Eastern District of California denied Gurdit Singh’s motion for a temporary restraining order seeking immediate release from immigration custody. The court held that his unexplained delay of more than two and a half months in seeking relief defeated a showing of irreparable harm and therefore did not consider the remaining preliminary-injunction factors.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	William B. Shubb
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	January 15, 2026
DOCKET	1:26-cv-00273-WBS-DMC
DISPOSITION	denied
PROCEDURAL POSTURE	Petitioner moved for a temporary restraining order seeking immediate release from immigration custody based on an alleged violation of procedural due process.
STANDARD OF REVIEW	A temporary restraining order is governed by the same standard as a preliminary injunction. The movant must show a likelihood of success on the merits, likely irreparable harm absent relief, that the balance of equities favors relief, and that an injunction is in the public interest; when the government is the opposing party, the equities and public-interest factors merge.
PRECEDENTIAL VALUE	Unpublished district-court memorandum and order; precedential status is unknown.
PARTIES	Gurdit Singh v. Chestnut, et al.

TOPICS

- immigration detention
- injunctions
- procedural due process
- immigration
- civil procedure

PRACTICE AREAS

immigration

civil procedure

constitutional law

equitable relief

QUESTIONS PRESENTED

1. Whether petitioner was entitled to a temporary restraining order requiring his immediate release from immigration custody.
2. Whether petitioner established irreparable harm despite waiting more than two and a half months after detention to seek emergency injunctive relief.

HOLDINGS

1. A temporary restraining order is subject to the same standard as a preliminary injunction, requiring the movant to establish likelihood of success on the merits, likely irreparable harm, a favorable balance of equities, and that an injunction is in the public interest.
2. Petitioner's unexplained delay of more than two and a half months in seeking emergency injunctive relief demonstrated a lack of urgency and was fatal to the motion because he failed to establish irreparable harm.

KEY QUOTATIONS

“Typically, “[a] plaintiff seeking a preliminary injunction must establish that he is likely to succeed on the merits, that he is likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest.” (at 1)

“Petitioner’s untimely filing is fatal to his motion for temporary restraining order.” (at 2)

FACTUAL BACKGROUND

Immigration authorities detained petitioner on October 30, 2025. He sought immediate release on the ground that his detention violated procedural protections under the Due Process Clause, but waited more than two and a half months before filing his motion, shortly before his immigration-judge hearing scheduled for January 22, 2026.

PROCEDURAL HISTORY

Singh filed a petition and motion for a temporary restraining order on January 14, 2026, approximately two and a half months after his immigration detention and one week before a scheduled immigration-judge hearing. The district court denied the motion because the delay defeated a showing of irreparable harm and referred the case to the assigned magistrate judge for further proceedings.

DISPOSITION

denied

CASES CITED

- *Rovio Entm't Ltd. v. Royal Plush Toys, Inc.*, 907 F. Supp. 2d 1086, 1092 (N.D. Cal. 2012)
- *Stuhlbarg Int'l Sales Co. v. John D. Brush & Co.*, 240 F.3d 832, 839 n.7 (9th Cir. 2001)
- *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008)
- *Nken v. Holder*, 556 U.S. 418, 435 (2009)
- *Oakland Trib., Inc. v. Chron. Pub. Co.*, 762 F.2d 1374, 1377 (9th Cir. 1985)
- *Oregon Nat. Desert Ass'n v. Bushue*, 594 F. Supp. 3d 1259, 1266 (D. Or. 2022)
- *Dahl v. Swift Distrib., Inc.*, No. 10-cv-0551 SJO RZx, 2010 WL 1458957, at *4 (C.D. Cal. Apr. 1, 2010)
- *Sanchez v. Sanchez*, No. 10-cv-1628 JLS RBB, 2010 WL 4790179, at *5 (S.D. Cal. Nov. 17, 2010)
- *Lee v. Haj*, No. 1:16-cv-00008 DAD SAB, 2016 WL 8738428, at *2 (E.D. Cal. Feb. 22, 2016)
- *California v. Azar*, 911 F.3d 558, 575 (9th Cir. 2018)

OPINION

1 UNITED STATES DISTRICT COURT 2 EASTERN DISTRICT OF CALIFORNIA 3 ----
 oo0oo---- 4 5 GURDIT SINGH No. 1:26-cv-00273-WBS-DMC 6 Petitioner, 7 v.
 MEMORANDUM AND ORDER 8 CHESTNUT, et al., 9 Respondents. 10 11 ----oo0oo---- 12 In
 petitioner's motion for a temporary restraining 13 order, filed on January 14, 2026, he asks the
 court to order his 14 immediate release from custody on the grounds that his detention 15 violates
 the procedural protections conferred by the Due Process 16 Clause.

(See Docket No. 3.) Petitioner alleges that he was 17 detained by immigration authorities on
 October 30, 2025, and that 18 his hearing before an immigration judge is currently scheduled 19
 for January 22, 2026. (Id. at 5.) 20 "The standard for a [temporary restraining order] is 21 the same
 as for a preliminary injunction." *Rovio Entm't Ltd. v. 22 Royal Plush Toys, Inc.*, 907 F. Supp. 2d
 1086, 1092 (N.D.

Cal. 23 2012) (citing *Stuhlbarg Int'l Sales Co. v. John D. Brush & Co.*, 24 240 F.3d 832, 839 n.7
 (9th Cir. 2001)). Typically, "[a] 25 plaintiff seeking a preliminary injunction must establish that he
 26 is likely to succeed on the merits, that he is likely to suffer 27 irreparable harm in the absence
 of preliminary relief, that the 28 1 balance of equities tips in his favor, and that an injunction is 2
 in the public interest." *Winter v. Nat.*

Res. Def. Council, Inc., 3 555 U.S. 7, 20 (2008). The last two factors "merge when the 4
 Government is the opposing party." *Nken v. Holder*, 556 U.S. 418, 5 435 (2009). 6 A petitioner's
 "long delay" in seeking injunctive 7 relief "implies a lack of urgency and irreparable harm." See 8
Oakland Trib., Inc. v. Chron. Pub. Co., 762 F.2d 1374, 1377 (9th 9 Cir. 1985).

Courts within this circuit have found that delays in 10 seeking temporary restraining orders far
 shorter than 11 petitioner's two-and-a-half month delay to "counsel[]" against a 12 finding of
 irreparable harm." *Oregon Nat. Desert Ass'n v. 13 Bushue*, 594 F. Supp. 3d 1259, 1266 (D. Or.

2022) (two-month 14 delay); see also, e.g., *Dahl v. Swift Distrib., Inc.*, No. 10-cv- 15 0551 SJO RZx, 2010 WL 1458957, at *4 (C.D.

Cal. April 1, 2010) 16 (eighteen-day delay); *Sanchez v. Sanchez*, No. 10-cv-1628 JLS RBB, 17 2010 WL 4790179, at *5 (S.D. Cal. Nov. 17, 2010) (twenty-six-day 18 delay). 19 Here, petitioner waited over 2½ months after he was 20 detained, and then filed his petition in this court one week 21 before his case was scheduled to be heard by an immigration 22 judge.

Petitioner’s untimely filing is fatal to his motion for 23 temporary restraining order. That petitioner leaves this delay 24 “unexplained” only bolsters this conclusion. See *Lee v. Haj*, No. 25 1:16-cv-00008 DAD SAB, 2016 WL 8738428, at *2 (E.D. Cal. Feb. 22, 26 2016) (“[U]nexplained delays... militate against a finding of 27 irreparable harm and against the issuance of a temporary 28 eee IEE I IIR IE IEE RIE IE OSU EEE OI, IED OE restraining order.”).

2 For the above reasons, petitioner has failed to demonstrate the existence of irreparable harm. Accordingly, the court “need not consider the other [preliminary injunction] ° factors.” See *California v. Azar*, 911 F.3d 558, 575 (9th Cir. 6 2018). 7 IT IS THEREFORE ORDERED that petitioner’s motion for a temporary restraining order (Docket No. 3) be, and the same ° hereby is, DENIED.

Pursuant to 28 U.S.C. § 636(b) (1) (B) and Local General Order No. 262, the case is referred to the assigned magistrate judge for further proceedings. IT IS SO ORDERED.. ak. 14 A blew (hii.b— Dated: January 15, 2026 WILLIAMB.SHUBB UNITED STATES DISTRICT JUDGE 16 17 18 19 20 21 22 23 24 25 26 27 28