

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Student Doe v. Kristi Noem, et al.

Doe v. Noem · No. 2:25-cv-01103-DAD-AC · Decided April 17, 2025

SUMMARY

The United States District Court for the Eastern District of California granted an international student’s motions to proceed under a pseudonym, for a protective order, and for a temporary restraining order. The court concluded that the plaintiff was likely to succeed on his Administrative Procedure Act claims challenging the termination of his SEVIS record and resulting F-1 student status, particularly because he had not been convicted of a crime and the stated grounds for termination appeared unauthorized by applicable regulations. The order also addresses the court’s authority to restrict detention and removal based on the SEVIS termination.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Dale A. Drozd
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	April 17, 2025
DOCKET	2:25-cv-01103-DAD-AC
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought permission to proceed under a pseudonym, a protective order, and a temporary restraining order in an action challenging the termination of his SEVIS record and resulting F-1 status consequences under the Administrative Procedure Act and the Fifth Amendment. After a hearing, the district court granted all requested motions.
STANDARD OF REVIEW	For temporary restraining orders, the court applied the substantially identical standard governing preliminary injunctions: likelihood of success on the merits, likelihood of irreparable harm absent relief, balance of equities, and public interest. The court also applied the APA arbitrary-and-capricious standard, reviewing whether the agency considered relevant factors, avoided clear error of judgment, and maintained a rational connection between facts found and conclusions reached.

PRECEDENTIAL VALUE	Unpublished district-court order granting temporary restraining order; persuasive but not precedential beyond the case.
PARTIES	Student Doe v. Kristi Noem, Todd Lyons, Department of Homeland Security

TOPICS

immigration

administrative procedure act

agency adjudication

judicial review of agency action

injunctions

PRACTICE AREAS

Immigration

Administrative Procedure Act

Federal civil procedure

Constitutional law

Equitable remedies

QUESTIONS PRESENTED

1. Whether plaintiff should be permitted to proceed under a pseudonym and receive a protective order requiring redaction or sealing of identifying information.
2. Whether plaintiff was entitled to a temporary restraining order under the preliminary-injunction factors.
3. Whether the Privacy Act provided an adequate alternative remedy that limited the APA's waiver of sovereign immunity.
4. Whether termination of plaintiff's SEVIS record and resulting F-1 status consequences were likely unauthorized, arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law under the APA.
5. Whether 8 U.S.C. §§ 1252(g) and 1226(e) deprived the district court of authority to temporarily restrain detention or removal based on the SEVIS termination.

HOLDINGS

1. A party may proceed under a pseudonym when the severity of threatened harm, reasonableness of the fear, and vulnerability to retaliation establish that the need for anonymity outweighs prejudice to the opposing party and the public's interest in disclosure.
2. The court may require redaction and sealing of information identifying a party when the party shows specific harm or prejudice from disclosure and compelling reasons that outweigh the presumption of public access.
3. The Privacy Act did not provide plaintiff an adequate alternative remedy and therefore did not bar the APA's waiver of sovereign immunity.
4. Plaintiff was likely to establish that defendants' termination of his SEVIS record, effectively terminating his F-1 status, was arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law.
5. Plaintiff satisfied the requirements for temporary restraining relief by showing likely success on the merits, likely irreparable harm, favorable equities, and that relief served the public interest.

6. Sections 1252(g) and 1226(e) did not deprive the court of authority to temporarily restrain detention or removal based on the allegedly unlawful SEVIS termination because plaintiff presented a legal challenge distinct from a challenge to prosecutorial discretion or a discretionary detention decision.

KEY QUOTATIONS

“The proper legal standard for preliminary injunctive relief requires a party to demonstrate ‘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 6-7)

“The APA “requires agencies to engage in reasoned decisionmaking, and directs that agency actions be set aside if they are arbitrary or capricious.”” (at 13)

“Here the basis for the requested stay preventing removal is the arbitrary and capricious or unlawful termination of plaintiff’s SEVIS record, which is distinct from any potential decision to initiate proceedings.” (at 15-16)

FACTUAL BACKGROUND

Student Doe, an international student in F-1 status, was notified by his university on April 8, 2025, that the government had terminated his SEVIS record based on identification in a criminal-records check and/or revocation of his visa. Doe had never been charged with or convicted of a crime, although he had been detained twice in 2024 and received notice that no charges would be filed for lack of evidence. The termination notice warned that no grace period was available and that remaining in the United States could have serious consequences, including possible investigation, detention, and removal.

PROCEDURAL HISTORY

Plaintiff filed the complaint on April 14, 2025, alleging that defendants unlawfully terminated his SEVIS record, effectively terminating his F-1 student status. He filed motions to proceed under a pseudonym and for a protective order on April 14 and a motion for a temporary restraining order on April 15. The court ordered expedited service and temporarily barred removal-related action pending the April 17 hearing, then granted the pseudonym, protective-order, and TRO motions.

DISPOSITION

other

CASES CITED

- *Stuhlbarg Int’l Sales Co. v. John D. Brush & Co.*, 240 F.3d 832, 839 n.7 (9th Cir. 2001)
- *Stormans, Inc. v. Selecky*, 586 F.3d 1109, 1127 (9th Cir. 2009)
- *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20, 22 (2008)
- *Ctr. for Food Safety v. Vilsack*, 636 F.3d 1166, 1172 (9th Cir. 2011)
- *Am. Trucking Ass’n, Inc. v. City of Los Angeles*, 559 F.3d 1046, 1052 (9th Cir. 2009)
- *All. for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131, 1134-35 (9th Cir. 2011)

- Klein v. City of San Clemente, 584 F.3d 1196, 1201 (9th Cir. 2009)
- Caribbean Marine Servs. Co. v. Baldrige, 844 F.2d 668, 674 (9th Cir. 1988)
- Disney Enters., Inc. v. VidAngel, Inc., 869 F.3d 848, 856 (9th Cir. 2017)
- Doe v. Kamehameha Schs./Bernice Pauahi Bishop Est., 596 F.3d 1036, 1042 (9th Cir. 2010)
- Does I thru XXIII v. Advanced Textile, 214 F.3d 1058, 1067-68 (9th Cir. 2000)
- In re Roman Catholic Archbishop of Portland in Or., 661 F.3d 417, 424 (9th Cir. 2011)
- Ctr. for Auto Safety v. Chrysler Grp., LLC, 809 F.3d 1092, 1095 (9th Cir. 2016)
- United Aeronautical Corp. v. United States Air Force, 80 F.4th 1017, 1022 (9th Cir. 2023)
- Bowen v. Massachusetts, 487 U.S. 879, 901, 903 (1988)
- Citizens for Responsibility & Ethics in Wash. v. U.S. Dep't of Justice, 846 F.3d 1235, 1245 (D.C. Cir. 2017)
- Garcia v. Vilsack, 563 F.3d 519, 522 (D.C. Cir. 2009)
- Dep't of Homeland Sec. v. Regents of Univ. of Cal., 591 U.S. 1, 16 (2020)
- Transp. Div. of the Int'l Ass'n of Sheet Metal, Air, Rail, & Transp. Workers v. Fed. R.R. Admin., 988 F.3d 1170, 1178 (9th Cir. 2021)
- Lands Council v. McNair, 537 F.3d 981, 993 (9th Cir. 2008)
- Marsh v. Or. Nat. Res. Council, 490 U.S. 360, 378 (1989)
- League of Wilderness Defs./Blue Mountains Biodiversity Project v. Connaughton, 752 F.3d 755, 759-60 (9th Cir. 2014)
- Motor Vehicle Mfrs. Ass'n, Inc. v. State Farm Mut. Auto. Ins. Co., 463 U.S. 29, 43 (1983)
- All. for the Wild Rockies v. Petrick, 68 F.4th 475, 492 (9th Cir. 2023)
- Jie Fang v. Dir. United States Immigr. & Customs En't, 935 F.3d 172, 176, 182 (3d Cir. 2019)
- United States v. Hovsepian, 359 F.3d 1144, 1155 (9th Cir. 2004) (en banc)
- Maharaj v. Ashcroft, 295 F.3d 963, 965 (9th Cir. 2002)
- Arce v. United States, 899 F.3d 796, 801 (9th Cir. 2018)
- Jennings v. Rodriguez, 583 U.S. 281, 295 (2018)