

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK

Farouk Tariq v. U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, U.S. Department of Justice Attorney General Pamela Bondi

25-CV-6999 · No. 25-CV-6999 · Decided December 19, 2025

SUMMARY

The Eastern District of New York temporarily enjoined the government from moving Farouk Tariq outside the Eastern District of New York, Southern District of New York, or District of New Jersey absent further court order. The court also temporarily barred his removal from a hospital or transfer to a detention center through January 2, 2026, or earlier without prior leave of court, to preserve jurisdiction and address his urgent medical needs.

CASE DETAILS

COURT	United States District Court for the Eastern District of New York
WRITING FOR THE COURT	Nina R. Morrison
JURISDICTION	United States District Court for the Eastern District of New York
DECIDED	December 19, 2025
DOCKET	25-CV-6999
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a petition for a writ of habeas corpus and sought emergency injunctive relief concerning his detention, medical treatment, transfer, and possible removal.
PRECEDENTIAL VALUE	Unknown; district court emergency order
PARTIES	Farouk Tariq v. U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement, U.S. Department of Justice Attorney General Pamela Bondi

TOPICS

- immigration detention
- injunctions
- removal proceedings
- immigration
- civil procedure

PRACTICE AREAS

immigration

immigration detention

habeas corpus

injunctive relief

civil procedure

QUESTIONS PRESENTED

1. Whether the court could use the All Writs Act to restrict Respondents' transfer of Petitioner in order to preserve the court's jurisdiction over the pending habeas petition.
2. Whether temporary injunctive relief under Federal Rule of Civil Procedure 65(b)(1) was warranted to prevent Petitioner's removal from the hospital or transfer to a detention center while the habeas petition was pending.

HOLDINGS

1. Under the All Writs Act, the court may enjoin Respondents from moving Petitioner outside the Eastern District of New York, the Southern District of New York, or the District of New Jersey absent further order, because the restriction was necessary to preserve the court's jurisdiction pending final disposition of the petition.
2. The court temporarily enjoined Respondents from removing Petitioner from South Shore Hospital or another hospital facility and from taking him to a detention center until 14 days from the order, or unless Respondents first obtained leave of court.

KEY QUOTATIONS

"Once the district court acquires jurisdiction over the subject matter of, and the parties to, the litigation, the All Writs Act [28 U.S.C. § 1651] authorizes a federal court to protect that jurisdiction." (Order)

FACTUAL BACKGROUND

Petitioner was detained by Respondents on December 3, 2025, and transferred to South Shore University Hospital the following day because of extreme chest pain and shortness of breath. He alleged that Respondents attempted to remove him from the hospital despite his need for urgent treatment for a life-threatening condition and informed him that they planned to deport him because no detention facility could address his medical needs. He filed a habeas petition challenging his detention and sought emergency restrictions on his transfer and removal.

PROCEDURAL HISTORY

Petitioner alleged that he was detained on December 3, 2025, hospitalized the next day because of extreme chest pain and shortness of breath, and faced possible removal or transfer despite an urgent medical condition. On December 19, 2025, he filed a habeas petition and requested emergency relief. The district court entered an order preserving its jurisdiction and temporarily enjoining Respondents from transferring or removing him absent further court authorization.

DISPOSITION

other

CASES CITED

- Loc. 1814, Int’l Longshoremen’s Ass’n, AFL-CIO v. New York Shipping Ass’n, Inc., 965 F.2d 1224, 1237 (2d Cir. 1992)
- Garcia-Izquierdo v. Gartner, No. 04 Civ. 7377, 2004 WL 2093515, at *2 (S.D.N.Y. Sep. 17, 2004)
- Khalil v. Joyce, No. 25 Civ. 1935, 2025 WL 750599, at *1 (S.D.N.Y. Mar. 10, 2025)
- Michael v. I.N.S., 48 F.3d 657, 661–62 (2d Cir. 1995)

OPINION

UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK -----
----- X FAROUK TARIQ,:: 25-CV-6999 Petitioner,; ORDER
-v-: U.S. Department of Homeland Security, U.S.: Immigration and Customs Enforcement, U.S.:
Department of Justice Attorney General PAMELA: BONDI,; Respondents.: -----
----- X NINA R. MORRISON, United States District Judge:
WHEREAS, Petitioner, through counsel, states that he was detained by Respondents on December
3, 2025, and after being transferred to the Denis R. Hurley courthouse in Queens, New York, was
transferred to South Shore University Hospital on December 4, 2025 due to extreme pain in his
chest and shortness of breath, where he currently remains hospitalized; WHEREAS, through
counsel, Petitioner avers that Respondents attempted to remove Petitioner from the hospital on
December 15, 2025 despite his need for urgent medical treatment for a life-threatening medical
condition, and on December 19, 2025 informed Petitioner that they planned to deport him to his
home country because there was no detention facility available to treat his medical needs;
WHEREAS, through counsel, Petitioner filed a Petition for a Writ of Habeas Corpus (the
“Petition”), ECF No. 1 (Dec.

19, 2025), alleging that his detention violates his constitutional and statutory rights; WHEREAS,
Petitioner has sought an emergency order to, inter alia, temporarily enjoin Respondents from
transferring Petitioner outside of the New York City region and enjoin Respondents from
transferring Petitioner to any detention facility while this habeas petition is pending; It is hereby:
ORDERED, that in order to preserve the Court’s jurisdiction pending final disposition of the
Petition, Respondents are ENJOINED from moving Petitioner to a location outside this District,
the Southern District of New York, or the District of New Jersey absent further order of this Court.

See, e.g., Loc. 1814, Int’l Longshoremen’s Ass’n, AFL-CIO v. New York Shipping Ass’n, Inc.,
965 F.2d 1224, 1237 (2d Cir. 1992) (“Once the district court acquires jurisdiction over the subject
matter of, and the parties to, the litigation, the All Writs Act [28 U.S.C. § 1651] authorizes a
federal court to protect that jurisdiction.”)1; Garcia-Izquierdo v. Gartner, No. 04 Civ.

7377, 2004 WL 2093515, at *2 (S.D.N.Y. Sep. 17, 2004) (observing that, under the All Writs Act,
28 U.S.C. § 1651, a district court “may order that a petitioner’s deportation be stayed... when a
stay is necessary to preserve the Court’s jurisdiction of the case”); Khalil v. Joyce, No. 25 Civ.

1935, 2025 WL 750599, at *1 (S.D.N.Y. Mar. 10, 2025) (barring the government from removing petitioner from the United States until the Court could address his claim); cf. *Michael v. I.N.S.*, 48 F.3d 657, 661–62 (2d Cir.

1995) (holding that the All Writs Act provides a federal court of appeals reviewing a final removal order with a basis to stay removal); IT IS FURTHER ORDERED that pursuant to Fed. R. Civ. Proc. 65(b)(1), in light of the facts and circumstances related to Petitioner's urgent medical needs outlined in the petition and supporting exhibits, Respondents are temporarily enjoined from removing Petitioner from South Shore Hospital or any other hospital facility, and are further temporarily enjoined from taking him to a detention center until 14 days from this order (6:00pm on January 2, 2026) or unless they seek and obtain prior leave of this Court to do so.

1 In all quotations from cases, citations, footnotes, brackets, ellipses, and emphases are omitted unless otherwise indicated. The Court will set a schedule for further proceedings on the petition by separate order.

The Clerk of Court is respectfully directed to immediately email a copy of this Order to the United States Attorney's Office (USAO) for the Eastern District of New York. Petitioner's counsel shall also serve a copy of the order on the USAO. SO ORDERED. Dated: December 19, 2025 /s/ Nina R. Morrison Brooklyn, New York Nina R. Morrison Miscellaneous Duty Judge