

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

OPINION

Tariq

PER CURIAM.

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