

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA

Neguse v. U.S. Immigration and Customs Enforcement

Neguse · No. Civil Action No. 2025-2463 (JMC) · Decided March 2, 2026

SUMMARY

The United States District Court for the District of Columbia granted Plaintiffs’ motion under 5 U.S.C. § 705 to stay agency action concerning a seven-day notice policy described in memoranda issued by Secretary Noem. The court postponed and stayed implementation and enforcement of the policy and dissolved a previously entered temporary restraining order.

CASE DETAILS

COURT	United States District Court for the District of Columbia
WRITING FOR THE COURT	Jia M. Cobb
JURISDICTION	United States District Court for the District of Columbia
DECIDED	March 2, 2026
DOCKET	Civil Action No. 2025-2463 (JMC)
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs moved for a stay of agency action under 5 U.S.C. § 705. The court granted the motion and dissolved a previously entered temporary restraining order.
PRECEDENTIAL VALUE	Published district court order; precedential status is not otherwise specified in the document text.
PARTIES	Joe Neguse, in his capacity as a Member of the U.S. House of Representatives, et al. v. U.S. Immigration and Customs Enforcement, et al.

TOPICS

- judicial review of agency action
- administrative procedure act
- immigration
- injunctions
- remedies

PRACTICE AREAS

- administrative law
- immigration
- civil procedure
- remedies

QUESTIONS PRESENTED

1. Whether the court should grant plaintiffs' motion for a stay of agency action under 5 U.S.C. § 705.
2. Whether the effective dates for implementation and enforcement of the seven-day notice policy should be postponed and stayed.
3. Whether the previously entered temporary restraining order should be dissolved.

HOLDINGS

1. The court granted plaintiffs' motion for a stay of agency action under 5 U.S.C. § 705.
2. The effective dates of implementation and enforcement of the seven-day notice policy described in Secretary Noem's January 8 memorandum, including as ratified by the February 2 memorandum, were immediately postponed and stayed.
3. The temporary restraining order entered on February 2, 2026, was dissolved.

KEY QUOTATIONS

“to *“preserve status or rights pending conclusion of the review proceedings,”* 5 U.S.C. § 705” (at 1)

FACTUAL BACKGROUND

The challenged agency policy required a seven-day notice period and was set out in Secretary Noem's January 8 memorandum, later ratified by a February 2 memorandum. Plaintiffs sought a stay under 5 U.S.C. § 705 to preserve the status or rights involved while review proceedings continued. The court had previously entered a temporary restraining order concerning the policy.

PROCEDURAL HISTORY

Plaintiffs sought a stay of the implementation and enforcement of a seven-day notice policy described in Secretary Noem's January 8 memorandum and ratified by her February 2 memorandum. The court had previously entered a temporary restraining order on February 2, 2026. On March 2, 2026, the court granted the statutory stay, postponed and stayed the policy's effective dates, and dissolved the temporary restraining order.

DISPOSITION

other

OPINION

PER CURIAM.

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF COLUMBIA JOE NEGUSE, in his capacity as a Member of the U.S. House of Representatives, et al., Case No. 25-cv-2463 (JMC) Plaintiffs, v. U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT, et al., Defendants. ORDER For the reasons stated in the accompanying memorandum opinion, it is hereby ORDERED that Plaintiffs’ motion for a stay of agency action under 5 U.S.C. § 705, ECF 49, is GRANTED.

It is further ORDERED that, to “preserve status or rights pending conclusion of the review proceedings,” 5 U.S.C. § 705, the effective dates of implementation and enforcement of the seven-day notice policy laid out in Secretary Noem’s January 8 memorandum, ECF 39-1, including as ratified by Secretary Noem’s February 2 memorandum, ECF 55-1, are immediately postponed and stayed.

It is further ORDERED that the temporary restraining order entered by the Court on February 2, 2026, ECF 52, is hereby dissolved. SO ORDERED. _____ JIA M. COBB United States District Judge Date: March 2, 2026 1