

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Amornrit Siripan v. Tonya Andrews, et al.

Amornrit Siripan v. Tonya Andrews, No. 1:25-cv-01933-DC-CKD (HC) (E.D. Cal. Dec. 23, 2025) · No. No. 1:25-cv-01933-DC-CKD (HC) · Decided December 23, 2025

SUMMARY

The United States District Court for the Eastern District of California granted Amornrit Siripan’s motion for a temporary restraining order challenging his re-detention by Immigration and Customs Enforcement. The court found that Siripan was likely to succeed on claims that ICE failed to comply with applicable regulations governing revocation of supervised release, including requirements for a changed-circumstances determination and a prompt informal interview. The court ordered his immediate release, restrained respondents from re-arresting or re-detaining him absent compliance with constitutional and regulatory protections, waived a security bond, and ordered respondents to show cause why a preliminary injunction should not issue.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Dena Coggins
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 23, 2025
DOCKET	No. 1:25-cv-01933-DC-CKD (HC)
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner moved for a temporary restraining order while pursuing a 28 U.S.C. § 2241 habeas petition challenging his immigration detention.
STANDARD OF REVIEW	A temporary restraining order is governed by a standard substantially identical to that for a preliminary injunction. The movant must show a likelihood of success on the merits, a likelihood of irreparable harm, that the balance of equities favors relief, and that an injunction is in the public interest.
PRECEDENTIAL VALUE	Nonprecedential interlocutory district-court order
PARTIES	Amornrit Siripan v. Tonya Andrews, et al.

TOPICS

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QUESTIONS PRESENTED

1. Whether Siripan was likely to succeed on his claim that ICE violated 8 C.F.R. §§ 241.13(i) and 241.4(l) by revoking his release and re-detaining him without a documented changed-circumstances determination showing a significant likelihood of removal in the reasonably foreseeable future.
2. Whether Siripan was likely to succeed on his claim that ICE failed to provide the prompt informal interview required by 8 C.F.R. §§ 241.13(i)(3) and 241.4(l)(1).
3. Whether the four Winter factors supported issuance of a temporary restraining order.
4. Whether a security bond should be required under Federal Rule of Civil Procedure 65(c).

HOLDINGS

1. For purposes of the temporary restraining order, Siripan demonstrated a likelihood of success on his claim that ICE violated 8 C.F.R. § 241.13(i)(2) by revoking his release without evidence that, because of changed circumstances existing before re-detention, his removal was significantly likely in the reasonably foreseeable future.
2. For purposes of the temporary restraining order, Siripan demonstrated a likelihood of success on his claim that ICE failed to provide the prompt informal interview required by 8 C.F.R. §§ 241.13(i)(3) and 241.4(l)(1).
3. All four Winter factors favored temporary injunctive relief, so the court granted Siripan's motion for a temporary restraining order.
4. No security bond was required under Federal Rule of Civil Procedure 65(c).

KEY QUOTATIONS

“The standard governing the issuing of a temporary restraining order is “substantially identical” to the standard for issuing a preliminary injunction.” (at 2)

“As mandated by Congress, the default status after the 90-day removal period is therefore release on conditions, not detention.” (at 6)

“Government agencies are required to follow their own regulations.” (at 7)

“Respondents cannot reasonably assert that the public and government will be harmed in any legally cognizable sense by being enjoined from violating Petitioner’s due process rights, which is the case here.” (at 9)

FACTUAL BACKGROUND

Amornrit Siripan, a 73-year-old Thai national and lawful permanent resident, was ordered removed to Thailand in 2004 based on criminal convictions and was released from immigration custody on an order of supervision in 2005. ICE re-detained him on October 14, 2025, after an appointment, stating that Thailand was reviewing his case for a travel document while also stating that removal was not imminent. The record did not show that ICE had made a pre-detention determination that changed circumstances created a significant likelihood of removal in the reasonably foreseeable future, or that ICE had provided the prompt informal interview required after revocation of supervised release.

PROCEDURAL HISTORY

Siripan filed a § 2241 petition and a concurrent motion for a temporary restraining order on December 18, 2025. Respondents filed an opposition on December 22, 2025. The court granted temporary injunctive relief, ordered Siripan's immediate release, barred re-arrest or re-detention absent compliance with constitutional and regulatory protections, and ordered Respondents to show cause why a preliminary injunction should not issue.

DISPOSITION

other

CASES CITED

- Winter v. Natural Res. Def. Council, Inc., 555 U.S. 7, 20, 22 (2008)
- Stuhlbarg Int'l Sales Co. v. John D. Brush & Co., 240 F.3d 832, 839 n.7 (9th Cir. 2001)
- Klein v. City of San Clemente, 584 F.3d 1196, 1201 (9th Cir. 2009)
- Cal. Rifle & Pistol Ass'n, Inc. v. Los Angeles Cnty. Sheriff's Dep't, 745 F. Supp. 3d 1037, 1048 (C.D. Cal. 2024)
- Johnson v. Couturier, 572 F.3d 1067, 1083, 1086 (9th Cir. 2009)
- Am. Hotel & Lodging Ass'n v. City of Los Angeles, 119 F. Supp. 3d 1177, 1185 (C.D. Cal. 2015)
- Alva v. Kaiser, No. 25-cv-06676-RFL, 2025 WL 2419262, at *3 (N.D. Cal. Aug. 21, 2025)
- Khamba v. Albarran, No. 1:25-cv-01227-JLT-SKO, 2025 WL 2959276, at *7 (E.D. Cal. Oct. 17, 2025)
- Nguyen v. Hyde, 788 F. Supp. 3d 144, 150 (D. Mass. 2025)
- Kong v. United States, 62 F.4th 608, 620 (1st Cir. 2023)
- United States ex rel. Accardi v. Shaughnessy, 347 U.S. 260, 268 (1954)
- Nat'l Ass'n of Home Builders v. Norton, 340 F.3d 835, 852 (9th Cir. 2003)
- Waldron v. I.N.S., 17 F.3d 511, 518 (2d Cir. 1994)
- Diaz v. Wofford, No. 1:25-cv-01079-JLT-EPG, 2025 WL 2581575, at *7 (E.D. Cal. Sept. 5, 2025)
- Zhu v. Genalo, No. 1:25-cv-06523-JLR, 2025 WL 2452352, at *9 (S.D.N.Y. Aug. 26, 2025)
- Tran v. Noem, No. 3:25-cv-02391-BTM-BLM, 2025 WL 3005347, at *2 (S.D. Cal. Oct. 27, 2025)
- Duong v. Charles, No. 1:25-cv-01375-SKO, 2025 WL 3187313, at *3 (E.D. Cal. Nov. 14, 2025)
- Sphabmixay v. Noem, No. 25-cv-2648-LL-VET, 2025 WL 3034071, at *2 (S.D. Cal. Oct. 30, 2025)

- Sun v. Noem, No. 3:25-cv-02433-CAB-MMP, 2025 WL 2800037, at *2 (S.D. Cal. Sept. 30, 2025)
- J.R.M.J. v. Wofford, No. 1:25-cv-01567-DC-SCR, 2025 WL 3295593, at *5 (E.D. Cal. Nov. 26, 2025)
- Melendres v. Arpaio, 695 F.3d 990, 1002 (9th Cir. 2012)
- Elrod v. Burns, 427 U.S. 347, 373 (1976)
- Warsoldier v. Woodford, 418 F.3d 989, 1001-02 (9th Cir. 2005)
- Drakes Bay Oyster Co. v. Jewell, 747 F.3d 1073, 1092 (9th Cir. 2014)
- Nken v. Holder, 556 U.S. 418, 435 (2009)
- Vargas v. Jennings, No. 20-cv-5785-PJH, 2020 WL 5074312, at *4 (N.D. Cal. Aug. 23, 2020)
- Preminger v. Principi, 422 F.3d 815, 826 (9th Cir. 2005)
- Valencia Zapata v. Kaiser, No. 25-cv-07492-RFL, 2025 WL 2741654, at *13 (N.D. Cal. Sept. 26, 2025)
- Salcedo Aceros v. Kaiser, No. 25-cv-06924-EMC, 2025 WL 2637503, at *14 (N.D. Cal. Sept. 12, 2025)
- Zepeda v. U.S. Immigr. & Nat. Serv., 753 F.2d 719, 727 (9th Cir. 1985)
- Jorgensen v. Cassiday, 320 F.3d 906, 919 (9th Cir. 2003)
- Diaz v. Brewer, 656 F.3d 1008, 1015 (9th Cir. 2011)
- Lepe v. Andrews, No. 25-cv-01163-KES-SKO, 2025 WL 2716910, at *10 (E.D. Cal. Sept. 23, 2025)
- Pinchi v. Noem, No. 25-cv-05632-RMI-RFL, 2025 WL 1853763, at *4 (N.D. Cal. July 4, 2025)