

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF  
LOUISIANA, ALEXANDRIA DIVISION

Jorge Antonio Lopez Valasquez v. Judge S. Maurice Hicks, Jr., Brian  
Acuna, et al.

Lopez Valasquez · No. 1:26-0024 · Decided January 6, 2026

SUMMARY

The United States District Court for the Western District of Louisiana denied Jorge Antonio Lopez Valasquez’s motion for a temporary restraining order seeking to prevent his removal from the United States and transfer during the pendency of his habeas petition. The court concluded that the requested relief largely duplicated the habeas relief sought, and that the petitioner had not shown a sufficient likelihood of irreparable injury from a possible transfer.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                         |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Western District of Louisiana, Alexandria Division                                                                                                                                                                                                                                                                 |
| WRITING FOR THE COURT | S. Maurice Hicks, Jr.                                                                                                                                                                                                                                                                                                                                   |
| JURISDICTION          | United States District Court for the Western District of Louisiana                                                                                                                                                                                                                                                                                      |
| DECIDED               | January 6, 2026                                                                                                                                                                                                                                                                                                                                         |
| DOCKET                | 1:26-0024                                                                                                                                                                                                                                                                                                                                               |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                   |
| PROCEDURAL POSTURE    | Habeas petitioner moved for a temporary restraining order prohibiting the government from removing him from the United States or transferring him outside the court's jurisdiction while his habeas petition was pending.                                                                                                                               |
| STANDARD OF REVIEW    | A district court has discretion to grant or deny a temporary restraining order. The movant must establish a substantial likelihood of success on the merits, a substantial threat of irreparable injury, that the threatened injury outweighs the threatened harm to the opposing party, and that the injunction will not disserve the public interest. |
| PRECEDENTIAL VALUE    | unpublished                                                                                                                                                                                                                                                                                                                                             |

TOPICS

immigration detention

federal habeas corpus

injunctions

removal proceedings

civil procedure

## PRACTICE AREAS

immigration

federal habeas corpus

civil procedure

injunctions

## QUESTIONS PRESENTED

1. Whether petitioner was entitled to a temporary restraining order preventing his removal from the United States during the pendency of his habeas petition.
2. Whether petitioner was entitled to injunctive relief preventing his transfer to another immigration detention facility.
3. Whether the requested temporary restraining order should be used to obtain immediate detention-related relief that substantially mirrored the relief sought in the habeas petition.

## HOLDINGS

1. A party seeking a temporary restraining order must establish a substantial likelihood of success on the merits, a substantial threat of irreparable injury, that the threatened injury outweighs the threatened harm to the opposing party, and that the injunction will not disserve the public interest; petitioner failed to satisfy that standard.
2. A TRO should not be used to obtain immediate relief that mirrors the relief sought in the underlying habeas petition, effectively deciding the habeas petition before the ordinary habeas process proceeds.

## KEY QUOTATIONS

*“An applicant for a Temporary Restraining Order must demonstrate each of the following: (1) a substantial likelihood his cause will succeed on the merits, (2) a substantial threat of irreparable injury if the injunction is not granted, (3) the threatened injury outweighs the threatened harm the injunction may do to the opposing party, and (4) granting the injunction will not disserve the public interest.”*

*“Seeking injunctive relief that mirrors the relief requested in the habeas petition is nothing more than a motion to decide the habeas petition now.”*

*“Mere speculation or conclusory allegations of an irreparable injury are insufficient to entitle a movant to injunctive relief.”*

## FACTUAL BACKGROUND

Jorge Antonio Lopez Valasquez was detained in immigration custody and sought enforcement of rights as a member of the Bond Denial Class. He requested release or a bond hearing and sought to prevent his removal from the United States and transfer to another facility while pursuing habeas relief. The court found that he had not shown a likelihood of transfer and treated the requested injunction concerning a detention hearing as substantially duplicative of the relief sought in the habeas petition.

## PROCEDURAL HISTORY

Petitioner filed a habeas petition on January 5, 2026, seeking release from immigration custody or, alternatively, a bond hearing under 8 U.S.C. § 1226(a). He simultaneously moved for a temporary restraining order preventing his removal or transfer. The district court denied the TRO and directed that the habeas case proceed on an expedited briefing schedule after service on the respondents.

## DISPOSITION

other

## CASES CITED

- *Misquitta v. Warden Pine Prairie ICE Processing Center*, 353 F. Supp. 518, 521 (W.D. La. Nov. 16, 2018)
- *Piedmont Heights Civic Club, Inc. v. Moreland*, 637 F.2d 430 (5th Cir. 1981)
- *Moore v. Brown*, 868 F.3d 398, 402 (5th Cir. 2017)
- *Albright v. City of New Orleans*, 46 F. Supp. 2d 523, 532 (E.D. La. 1999)
- *Suburban Propane, L.P. v. D & S GCTX LLC*, 2025 WL 2429087, at \*2 (W.D. Tex. 2025)
- *Anderson v. Jackson*, 556 F.3d 351, 355-56 (5th Cir. 2009)
- *Garcia-Aleman v. Thompson*, No. 5:25-CV-00886, ECF No. 20 (S.D. Tex. Oct. 30, 2025)
- *Lotter v. Lyons*, 2025 WL 2946630, at \*1 (W.D. Tex. Aug. 22, 2025)

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