

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF  
FLORIDA, FORT MYERS DIVISION

Luc Quy Tran v. Warden, Florida Soft Side South, Miami Field  
Office Director, Immigration and Customs Enforcement's  
Enforcement and Removal Operations, Acting Director of  
Immigration and Customs Enforcement, Secretary of Homeland  
Security, U.S. Attorney General

Tran · No. 2:25-cv-1224-KCD-NPM · Decided January 20, 2026

SUMMARY

The court denied Luc Quy Tran’s emergency motion for a temporary restraining order in his habeas case. It held that 8 U.S.C. § 1252(g) bars the court from enjoining execution of his removal order, that a transfer from the district would not destroy jurisdiction, and that his request for an order requiring compliance with due process was an impermissible broad “obey the law” injunction. The habeas petition will proceed to review on the merits.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                       |
|-----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Middle District of Florida, Fort Myers Division                                                                                                                                                                                                                  |
| WRITING FOR THE COURT | Kyle C. Dudek                                                                                                                                                                                                                                                                                         |
| JURISDICTION          | United States District Court for the Middle District of Florida, Fort Myers Division                                                                                                                                                                                                                  |
| DECIDED               | January 20, 2026                                                                                                                                                                                                                                                                                      |
| DOCKET                | 2:25-cv-1224-KCD-NPM                                                                                                                                                                                                                                                                                  |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                 |
| PROCEDURAL POSTURE    | Petitioner sought a temporary restraining order in a pending 28 U.S.C. § 2241 habeas action to prevent his removal from the United States or transfer from the judicial district and to require meaningful notice and an opportunity to present a fear-based claim before removal to a third country. |
| STANDARD OF REVIEW    | A movant seeking a temporary restraining order must clearly establish a substantial likelihood of success on the merits, irreparable injury                                                                                                                                                           |

|                           |                                                                                                                                                                                                                                                                       |
|---------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                           | absent relief, a balance of threatened harms favoring relief, and that relief serves the public interest.                                                                                                                                                             |
| <b>PRECEDENTIAL VALUE</b> | unpublished district court order; limited persuasive value                                                                                                                                                                                                            |
| <b>PARTIES</b>            | Luc Quy Tran v. Warden, Florida Soft Side South, Miami Field Office Director, Immigration and Customs Enforcement's Enforcement and Removal Operations, Acting Director of Immigration and Customs Enforcement, Secretary of Homeland Security, U.S. Attorney General |

## TOPICS

immigration detention federal habeas corpus injunctions removal proceedings subject matter jurisdiction

## PRACTICE AREAS

immigration immigration detention federal habeas corpus injunctions constitutional law

## QUESTIONS PRESENTED

1. Whether the district court had jurisdiction to enjoin execution of Tran's removal order under 8 U.S.C. § 1252(g).
2. Whether an injunction preventing Tran's transfer from the judicial district was necessary to preserve the court's jurisdiction over his § 2241 petition.
3. Whether the court could issue an injunction requiring the Government to provide meaningful notice and an opportunity to present a fear-based claim before removal to a third country.
4. Whether Tran satisfied the four-part standard for a temporary restraining order.

## HOLDINGS

1. The district court lacked jurisdiction under 8 U.S.C. § 1252(g) to enjoin the Government's execution of Tran's removal order.
2. An injunction preventing Tran's transfer from the judicial district was unnecessary because a later transfer and change in physical custodian would not destroy jurisdiction over the already-filed § 2241 petition.
3. The court could not issue the requested broad injunction requiring the Government to provide notice and an opportunity to present a fear-based claim because it was an impermissible general obey-the-law injunction.
4. Tran was not entitled to a temporary restraining order because the specific relief sought was either beyond the court's jurisdiction or unnecessary, and he therefore could not establish the required prerequisites for extraordinary injunctive relief.

## KEY QUOTATIONS

*“Immediate injunctive relief is an “extraordinary and drastic remedy, and [the movant] bears the burden of persuasion to clearly establish all four of these prerequisites.”” (at 2)*

*“This provision is designed to protect the Government’s discretion in three specific areas: commencing proceedings, adjudicating cases, and—crucially for Tran—executing removal orders.” (at 3)*

*“And as a general rule, federal courts do not issue broad “obey the law” injunctions.” (at 5)*

## FACTUAL BACKGROUND

Tran arrived in the United States from Vietnam as a toddler refugee in 1978. A 1994 murder conviction resulted in loss of lawful status and a removal order, but Vietnam allegedly refused to repatriate certain citizens, so DHS released him under an order of supervision in 2003. After approximately twenty-two years in the community, Tran was detained at a scheduled immigration check-in and was allegedly told that the Government intended to remove him to a third country, such as Mexico or an unnamed African nation.

## PROCEDURAL HISTORY

Tran filed a habeas corpus petition and an accompanying emergency motion for a temporary restraining order after immigration authorities detained him following a check-in and allegedly indicated that they intended to remove him to a third country. The district court denied the temporary restraining order and stated that the habeas petition would proceed to merits review.

## DISPOSITION

other

## CASES CITED

- Schiavo ex rel. Schindler v. Schiavo, 403 F.3d 1223, 1225-26 (11th Cir. 2005)
- Wreal, LLC v. Amazon.com, Inc., 840 F.3d 1244, 1247 (11th Cir. 2016)
- Sekona v. Perez, No. 1:19-CV-00400-JLT-HBK, 2025 WL 2140093, at \*2 (E.D. Cal. July 29, 2025)
- Reno v. American-Arab Anti-Discrimination Committee, 525 U.S. 471, 482 (1999)
- Camarena v. Director, Immigration and Customs Enforcement, 988 F.3d 1268, 1271 (11th Cir. 2021)
- Edwin M.-N. v. Green, No. CV 19-6096 (KM), 2019 WL 13299141, at \*2 (D.N.J. Feb. 19, 2019)
- Rivera-Amador v. Rhoden, No. 3:25-CV-1460-WWB-SJH, 2025 WL 3687452, at \*3 (M.D. Fla. Dec. 19, 2025)
- Lopez v. Warden, Stewart Detention Center, No. 4:18-CV-134-CDL-MSH, 2018 WL 7051097, at \*2 (M.D. Ga. Dec. 26, 2018)
- Torres-Mejia v. Trump, No. 1:25-CV-1623, 2025 WL 3684258, at \*9 (W.D. Mich. Dec. 19, 2025)
- Villa v. Normand, No. 5:25-CV-89, 2025 WL 3113200, at \*4 (S.D. Ga. Oct. 16, 2025)
- Santillanes v. U.S. Parole Commission, 754 F.2d 887, 888 (10th Cir. 1985)
- Burton v. City of Belle Glade, 178 F.3d 1175, 1201 (11th Cir. 1999)
- Joseph v. Inspector General, No. 2:23-CV-334-JES-KCD, 2023 WL 4824465, at \*4 (M.D. Fla. July 27, 2023)

