

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Zhou v. Lyons

No. 2:25-cv-01186-TLN-JDP (E.D. Cal. Apr. 24, 2025) · No. 2:25-cv-01186-TLN-JDP · Decided April 24, 2025

SUMMARY

The United States District Court for the Eastern District of California granted Jake Zhou’s motion for a temporary restraining order challenging the termination of his SEVIS record and F-1 student status. The court found that Zhou was likely to succeed on his Administrative Procedure Act claim and would suffer irreparable harm absent relief. The order enjoined enforcement of the SEVIS termination, waived the bond requirement, and required the defendant 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	Troy L. Nunley
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	April 24, 2025
DOCKET	2:25-cv-01186-TLN-JDP
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff sought a temporary restraining order under Federal Rule of Civil Procedure 65 while challenging the termination of his SEVIS record and F-1 student status under the Administrative Procedure Act.
STANDARD OF REVIEW	For temporary injunctive relief, the court applied the four Winter factors: likelihood of success on the merits, likelihood of irreparable harm, balance of equities, and public interest. For the APA claim, the court applied the arbitrary-and-capricious standard and reviewed whether the agency considered relevant factors and articulated a rational connection between the facts and its decision.
PRECEDENTIAL VALUE	nonprecedential interlocutory district-court order
PARTIES	Jake Zhou a/k/a Jieyang Zhou v. Todd M. Lyons, Acting Director, U.S. Immigration and Customs Enforcement

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether Plaintiff demonstrated a likelihood of success on his APA claim challenging ICE's termination of his SEVIS record and F-1 status.
2. Whether Plaintiff demonstrated likely irreparable harm, a favorable balance of equities, and a public interest sufficient to warrant a temporary restraining order.
3. Whether the court should waive the bond requirement under Federal Rule of Civil Procedure 65.

HOLDINGS

1. ICE's termination of Plaintiff's SEVIS record effectively terminated his F-1 status, constituted the consummation of the agency's decision-making process with immediate legal consequences, and was final agency action reviewable under the APA.
2. Plaintiff sufficiently demonstrated a likelihood of success because ICE's stated reasons for terminating his SEVIS record—an alleged criminal-record identification and/or visa revocation—were likely not authorized regulatory grounds for terminating his F-1 status and rendered the decision arbitrary and capricious and an abuse of discretion.
3. Plaintiff established a likelihood of success, likely irreparable harm, a sufficiently favorable balance of equities, and a public interest supporting preservation of the status quo; the court therefore granted a temporary restraining order.
4. The court waived the bond requirement because there was no realistic likelihood of harm to Defendant from the TRO and Plaintiff had demonstrated a likelihood of success.

KEY QUOTATIONS

“The “arbitrary” or “capricious” standard of review is narrow, and “a court is not to substitute its judgment for that of the agency, . . . but instead to assess only whether the decision was ‘based on a consideration of the relevant factors and whether there has been a clear error of judgment.’”” (at 5)

“Plaintiff’s Motion for a TRO is GRANTED. (ECF No. 2.) Pending determination on the motion for preliminary injunction, Defendant is: enjoined from terminating Plaintiff’s SEVIS record; required to set aside its SEVIS record termination determination; prohibited from detaining or removing Plaintiff based on the SEVIS determination; and enjoined from directly or indirectly enforcing, implementing, or otherwise taking action or imposing any legal consequence as a result of the termination of his SEVIS record.” (at 9)

FACTUAL BACKGROUND

Plaintiff, a Chinese national and F-1 student, entered the United States after obtaining an F-1 visa and pursued graduate studies at USC and UC Davis. After a 2019 detention arising from an argument, the matter was dismissed and Plaintiff alleges he has no criminal record. ICE terminated Plaintiff's SEVIS record in April 2025, citing identification in a criminal-record check and/or visa revocation, without notice or an opportunity to respond. Plaintiff alleged that the termination ended his F-1 status and jeopardized his doctorate, research, employment, immigration status, reputation, and continued presence in the United States.

PROCEDURAL HISTORY

Plaintiff filed an APA complaint and moved for a temporary restraining order on April 24, 2025. The court granted the TRO, ordered Defendant to set aside the SEVIS termination and refrain from enforcing its legal consequences, required Defendant to show cause why a preliminary injunction should not issue, and extended the TRO for 28 days or until resolution of the preliminary-injunction request, whichever came first.

DISPOSITION

other

CASES CITED

- Aiello v. One West Bank, No. 2:10-cv-0227-GEB-EFB, 2010 WL 406092, at *1 (E.D. Cal. Jan. 29, 2010)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20, 22 (2008)
- Mazurek v. Armstrong, 520 U.S. 968, 972 (1997)
- University of Texas v. Camenisch, 451 U.S. 390, 395 (1981)
- GoTo.com, Inc. v. Walt Disney Co., 202 F.3d 1199, 1210 (9th Cir. 2000)
- Alliance for the Wild Rockies v. Cottrell, 632 F.3d 1127, 1134-35 (9th Cir. 2011)
- Regents of the University of California, 591 U.S. 1, 16 (2020)
- Michigan v. EPA, 576 U.S. 743, 750 (2015)
- FCC v. Fox Television Stations, Inc., 556 U.S. 502, 513 (2009)
- Citizens to Preserve Overton Park, Inc. v. Volpe, 401 U.S. 402, 416 (1971)
- J.L. v. Cissna, 374 F. Supp. 3d 855, 865 (N.D. Cal. 2019)
- Marsh v. Oregon Natural Resources Council, 490 U.S. 360, 378 (1989)
- Oregon Natural Resources Council v. Lowe, 109 F.3d 521, 526 (9th Cir. 1997)
- Lands Council v. McNair, 537 F.3d 981, 987, 993 (9th Cir. 2008)
- Keene v. City and County of San Francisco, No. 24-1574, 2025 WL 341831 (9th Cir. Jan. 30, 2025)
- Doe v. Noem, No. 2:25-cv-01103-DAD-AC, 2025 WL 1134977 (E.D. Cal. Apr. 17, 2025)
- Jie Fang v. Dir. United States Immigr. & Customs Enf't, 935 F.3d 172, 176, 182, 185 n.100 (3d Cir. 2019)
- John Roe v. Noem, No. 25-cv-00040-BU-DLC, 2025 WL 1114694 (D. Mont. Apr. 15, 2025)
- CytoSport, Inc. v. Vital Pharmaceuticals, Inc., 617 F. Supp. 2d 1051, 1081 (E.D. Cal. 2009), aff'd, 348 F. App'x 288 (9th Cir. 2009)
- National Urban League v. Ross, 484 F. Supp. 3d 802, 807 (N.D. Cal. 2020)

- Drakes Bay Oyster Co. v. Jewell, 747 F.3d 1073, 1092 (9th Cir. 2014)
- Governing Council of Pinoleville Indian Community v. Mendocino County, 684 F. Supp. 1042, 1047 (N.D. Cal. 1988)
- People of California v. Tahoe Regional Planning Agency, 766 F.2d 1319, 1325-26 (9th Cir. 1985)
- Jorgensen v. Cassiday, 320 F.3d 906, 919 (9th Cir. 2003)
- Ticketmaster L.L.C. v. RMG Technologies, Inc., 507 F. Supp. 2d 1096, 1116 (C.D. Cal. 2007)

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