

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON

Bleu Blaze Donahue v. Darren Hoschouer

Civ. No. 6:26-cv-00152-AP (D. Or. Feb. 13, 2026) · No. 6:26-cv-00152-AP · Decided February 13, 2026

SUMMARY

The United States District Court for the District of Oregon denied Plaintiff Bleu Blaze Donahue’s ex parte motion for a temporary restraining order seeking to prevent his arrest on a probation-violation warrant. The court concluded that the evidence undermined Plaintiff’s likelihood of success on the merits and that Younger abstention weighed against injunctive relief.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                                                                                                                                                               |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the District of Oregon                                                                                                                                                                                                                                                                                                                                                                                       |
| WRITING FOR THE COURT | Ann Aiken                                                                                                                                                                                                                                                                                                                                                                                                                                     |
| JURISDICTION          | United States District Court for the District of Oregon                                                                                                                                                                                                                                                                                                                                                                                       |
| DECIDED               | February 13, 2026                                                                                                                                                                                                                                                                                                                                                                                                                             |
| DOCKET                | 6:26-cv-00152-AP                                                                                                                                                                                                                                                                                                                                                                                                                              |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| PROCEDURAL POSTURE    | Plaintiff moved ex parte for a temporary restraining order barring Defendant from arresting him on a probation-violation warrant. The district court denied the motion.                                                                                                                                                                                                                                                                       |
| STANDARD OF REVIEW    | A temporary restraining order is evaluated under substantially the same factors as a preliminary injunction. The moving party must make a clear showing of likely success on the merits, likely irreparable harm, a favorable balance of equities, and that an injunction is in the public interest. In the Ninth Circuit, the alternative serious-questions sliding-scale test may apply if the remaining Winter requirements are satisfied. |
| PRECEDENTIAL VALUE    | unpublished district court opinion                                                                                                                                                                                                                                                                                                                                                                                                            |
| PARTIES               | Bleu Blaze Donahue v. Darren Hoschouer                                                                                                                                                                                                                                                                                                                                                                                                        |

TOPICS

- injunctions
- civil rights
- federalism
- civil procedure

## PRACTICE AREAS

civil procedure

civil rights

injunctive relief

federal courts

## QUESTIONS PRESENTED

1. Whether Plaintiff was entitled to a temporary restraining order preventing his arrest on a probation-violation warrant.
2. Whether the record supported a likelihood of success on Plaintiff's retaliation theory.
3. Whether Younger abstention principles weighed against federal injunctive relief directed at pending state proceedings.

## HOLDINGS

1. Plaintiff was not entitled to a temporary restraining order because he failed to make the required clear showing of entitlement to extraordinary preliminary relief.
2. Younger abstention principles weighed against granting an injunction interfering with the pending state arrest and probation-revocation proceedings.

## KEY QUOTATIONS

*“A preliminary injunction is an “extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is entitled to such relief.””*

*“Nevertheless, the party requesting a preliminary injunction must carry its burden of persuasion by a “clear showing” of the four elements set forth above.”*

*“Younger abstention is an exception to the obligation of federal courts to decide cases that fall within their jurisdiction “reflecting a national policy forbidding federal courts to stay or enjoin pending state court proceedings except under special circumstances,” which is “based on a strong federal policy against federal-court interference with pending state judicial proceedings.””*

## FACTUAL BACKGROUND

Plaintiff sought to prevent his arrest on a probation-violation warrant, alleging that the warrant was retaliatory and followed his filing of a change of address in separate litigation. The record showed that the warrant had been issued and that Plaintiff faced arrest and revocation proceedings. Exhibits submitted by Plaintiff indicated that the warrant resulted from his failure to report to his probation officer and his move to Eugene without notice, contradicting his retaliation allegation.

## PROCEDURAL HISTORY

The action was referred to Judge Aiken by Judge Potter. Plaintiff filed an amended complaint and moved for leave to file it, submitting exhibits concerning the probation warrant. The court considered Plaintiff's ex parte motion for a temporary restraining order and denied it because Plaintiff failed to establish entitlement to preliminary relief and Younger abstention principles weighed against an injunction.

## DISPOSITION

other

## CASES CITED

- Pacific Kidney & Hypertension LLC v. Kassakian, 156 F. Supp. 3d 1219, 1222 (D. Or. 2016)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20, 22 (2008)
- Alliance for the Wild Rockies v. Cottrell, 632 F.3d 1127, 1131-32 (9th Cir. 2011)
- Lopez v. Brewer, 680 F.3d 1068, 1072 (9th Cir. 2012)
- Yelp, Inc. v. Paxton, 137 F.4th 944, 950 (9th Cir. 2025)
- Younger v. Harris, 401 U.S. 37 (1971)

## OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON EUGENE  
DIVISION BLEU BLAZE DONAHUE, Civ. No. 6:26-cv-00152-AP Plaintiff, OPINION &  
ORDER v. DARREN HOSCHOUER, Defendant.  
\_\_\_\_\_, AIKEN, District Judge. This case comes before  
the Court on Plaintiff's Ex Parte Motion for Temporary Restraining Order. ECF No. 8.

The case was referred to this Court by Judge Potter. ECF No. 9. For the reasons set forth below, the Motion is DENIED. LEGAL STANDARD "In deciding whether to grant a motion for a temporary restraining order ('TRO'), courts look to substantially the same factors that apply to a court's decision on whether to issue a preliminary injunction. Pacific Kidney & Hypertension LLC v. Kassakian, 156 F. Supp.3d 1219, 1222 (D.

Or. 2016). A preliminary injunction is an "extraordinary remedy that may only be awarded upon a clear showing that the plaintiff is entitled to such relief." Winter v. Nat. Res. Def. Council, Inc., 555 U.S. 7, 22 (2008). A plaintiff seeking a preliminary injunction must show (1) that he or she is likely to succeed on the merits; (2) he or she is likely to suffer irreparable harm in the absence of preliminary relief; (3) the balance of the equities tips in his or her favor; and (4) an injunction is in the public interest.

Id. at 20. In the Ninth Circuit, courts may apply an alternative "serious questions" test which allows for a preliminary injunction where a plaintiff shows that "serious questions going to the merits" were raised and the balance of hardships tips sharply in plaintiff's favor, assuming the other two elements of the Winter test are met. Alliance for the Wild Rockies v. Cottrell, 632 F.3d 1127, 1131-32 (9th Cir.

2011). This formulation applies a sliding scale approach where a stronger showing on one element may offset a weaker showing in another element. Id. at 1131. Nevertheless, the party requesting a

preliminary injunction must carry its burden of persuasion by a “clear showing” of the four elements set forth above. *Lopez v. Brewer*, 680 F.3d 1068, 1072 (9th Cir.

2012). DISCUSSION Plaintiff in this case seeks to enjoin Defendant from arresting him on a probation violation warrant. Plaintiff asserts that the warrant was sought in retaliation after his filing of a change of address in separate litigation. Am. Compl. 4. ECF No. 6. Subsequent filings show that the warrant has since been issued and Plaintiff is facing arrest and revocation proceedings for the violation.

However, the exhibits submitted by Plaintiff in support of his Motion for Leave to File Amended Complaint, ECF No. 7, show that the reason for the warrant was that he failed to report to his probation officer as required and moved to Eugene without notice. ECF No. 7-4. This directly contradicts Plaintiff’s allegations and severely undermines any likelihood of success on the merits.

In addition, the principles of Younger abstention weigh against any injunctive relief.<sup>1</sup> Younger abstention is an exception to the obligation of federal courts to decide cases that fall within their jurisdiction “reflecting a national policy forbidding federal courts to stay or enjoin pending state court proceedings except under special circumstances,” which is “based on a strong federal policy against federal-court interference with pending state judicial proceedings.” *Yelp, Inc. v. Paxton*, 137 F.4th 944, 950 (9th Cir.

2025) (internal quotation marks and citations omitted). On this record, the Court concludes that Plaintiff has not established that he is entitled to the extraordinary remedy of a TRO. His motion is therefore DENIED. CONCLUSION For the reasons set forth above, Plaintiff’s Motion for TRO, ECF No. 8 is DENIED. It is so ORDERED and DATED this 13th day of February 2026. /s/Ann Aiken ANN AIKEN United States District Judge 1 *Younger v. Harris*, 401 U.S. 37 (1971).