

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA, JACKSONVILLE DIVISION

Isabella Maryanovsky v. Garret Ripa, et al.

Maryanovsky · No. 3:25-cv-1599-MMH-SJH · Decided January 5, 2026

SUMMARY

The United States District Court for the Middle District of Florida partially granted Isabella Maryanovsky’s emergency motion for a temporary restraining order in her habeas action challenging immigration detention. The court enjoined the respondents from removing Maryanovsky from the Jacksonville Division through January 19, 2026, waived the Rule 65(c) security requirement, and denied relief seeking to enjoin her continued detention. The order also directed service, required respondents’ counsel to appear, and scheduled a status conference.

CASE DETAILS

COURT	United States District Court for the Middle District of Florida, Jacksonville Division
WRITING FOR THE COURT	Marcia Morales Howard
JURISDICTION	United States District Court for the Middle District of Florida, Jacksonville Division
DECIDED	January 5, 2026
DOCKET	3:25-cv-1599-MMH-SJH
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner, an immigration detainee challenging her detention through a petition for writ of habeas corpus, moved for an emergency temporary restraining order barring Respondents from transferring or removing her outside the Middle District of Florida and from continuing her detention.
STANDARD OF REVIEW	To obtain injunctive relief, the movant must clearly establish a substantial likelihood of success on the merits, irreparable injury absent relief, that the threatened injury outweighs any harm the injunction may cause the opposing party, and that the injunction is not adverse to the public interest. When the government opposes the injunction, the third and fourth factors merge.

PRECEDENTIAL VALUE	unpublished district court temporary restraining order; persuasive at most
PARTIES	Isabella Maryanovsky v. Garret Ripa, et al.

TOPICS

immigration detention injunctions removal proceedings due process civil procedure

PRACTICE AREAS

immigration law federal habeas corpus injunctive relief civil procedure due process

QUESTIONS PRESENTED

1. Whether Maryanovsky was entitled to a temporary restraining order preserving the status quo by preventing Respondents from removing or transferring her outside the Jacksonville Division of the Middle District of Florida.
2. Whether the court should enjoin Respondents from continuing to detain Maryanovsky or require her release or reinstatement of her prior Order of Supervision.
3. Whether the court should waive the security requirement under Federal Rule of Civil Procedure 65(c).

HOLDINGS

1. A temporary restraining order was warranted to preserve the status quo because removal from the court's jurisdiction could effectively foreclose judicial recourse while the habeas action was pending.
2. The court denied the request to enjoin Respondents from continuing to detain Maryanovsky and declined to grant the requested substantive release-related relief through the temporary restraining order.
3. The court waived the Rule 65(c) security requirement because there was no realistic likelihood of prejudice to Respondents from the limited restraint.

KEY QUOTATIONS

“Injunctive relief, whether in the form of a temporary restraining order or a preliminary injunction, “is an extraordinary and drastic remedy.”” (2)

“One inherent characteristic of a temporary restraining order is that it has the effect of merely preserving the status quo[.]” (3)

“Notably, temporary restraining orders are meant to “preserv[e] the status quo rather than grant[] most or all of the substantive relief requested in the complaint.”” (4)

FACTUAL BACKGROUND

Isabella Maryanovsky, a Ukrainian-born former citizen of the USSR, was subject to a final order of removal. After her removal could not be effectuated within the statutory removal period, ICE released her under an Order

of Supervision in September 2009. ICE allegedly re-detained her on December 15, 2025, and she claimed that Ukraine did not recognize her as a citizen, making removal not reasonably foreseeable, and that she was denied notice and an opportunity to contest the re-detention. She sought habeas and injunctive relief, including protection from transfer outside the court's jurisdiction.

PROCEDURAL HISTORY

Maryanovsky filed a petition for writ of habeas corpus and, more than a week later, filed an emergency motion for a temporary restraining order. The district court granted the motion in part, enjoining Respondents from removing her from the Jacksonville Division through January 19, 2026, waived the Rule 65(c) security requirement, and denied the request to enjoin her continued detention.

DISPOSITION

other

CASES CITED

- *Zadvydas v. Davis*, 533 U.S. 678 (2001)
- *Wreal, LLC v. Amazon.com, Inc.*, 840 F.3d 1244, 1247 (11th Cir. 2016)
- *Siegel v. LePore*, 234 F.3d 1163, 1176 (11th Cir. 2000)
- *Citizens for Police Accountability Political Comm. v. Browning*, 572 F.3d 1213, 1217 (11th Cir. 2009) (per curiam)
- *Keister v. Bell*, 879 F.3d 1282, 1287-88 (11th Cir. 2018)
- *Gonzalez v. Governor of Georgia*, 978 F.3d 1266, 1271 (11th Cir. 2020)
- *McDonald's Corp. v. Robertson*, 147 F.3d 1301, 1306 (11th Cir. 1998)
- *Fernandez-Roque v. Smith*, 671 F.2d 426, 429 (11th Cir. 1982)
- *Ajugwe v. Noem*, No. 8:25-CV-982-MSS-AEP, 2025 WL 1370212, at *10 (M.D. Fla. May 12, 2025)

OPINION

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA JACKSONVILLE DIVISION ISABELLA MARYANOVSKY, Petitioner, v. Case No. 3:25-cv-1599-MMH-SJH GARRET RIPA, et al., Respondents. _____ TEMPORARY RESTRAINING ORDER Petitioner Isabella Maryanovsky, an immigration detainee at the Baker County Detention Center, initiated this action through counsel by filing a Petition for Writ of Habeas Corpus (Doc.

1; Petition). Maryanovsky, born in Ukraine, is a former citizen of the Union of Soviet Socialist Republics (USSR). Petition at 5, 9. According to Maryanovsky, she is subject to a final order of removal; however, because her removal could not be effectuated within the statutory removal period, United States Immigration and Customs Enforcement (ICE) released her under an Order of Supervision (OSUP) in September 2009.

Id. at 8. Maryanovsky alleges that ICE re-detained her on December 15, 2025. Id. Maryanovsky argues that she is being detained in violation of *Zadvydas v. Davis*, 533 U.S. 678 (2001), and her right to due process. Id. at 10–12. Indeed, she asserts that Ukraine does not recognize her as one of its citizens, and as such, her removal is not reasonably foreseeable.

Id. at 9, 11. She further asserts that ICE re-detained her without notice of the reasons for revoking her supervision, a prompt informal interview, or an opportunity to contest the grounds for re-detention. Id. at 10–11.

As relief, Maryanovsky asks the Court to: direct her immediate release from ICE custody; direct the Department of Homeland Security to reinstate her prior OSUP or impose appropriate conditions of release; enjoin Respondents from re-detaining her absent full compliance with governing regulations and constitutional requirements; and award attorney’s fees and costs.

Id. at 13. Over a week after initiating the case, Maryanovsky filed an Emergency Motion for Temporary Restraining Order (Doc. 3; Motion). In the Motion, she seeks a temporary restraining order enjoining and restraining Respondents from transferring or relocating her outside the jurisdiction of the Middle District pending a ruling on this habeas action. Id. at 21.

She also seemingly asks the Court to “temporarily” enjoin Respondents from denying her release on the basis that she is subject to mandatory detention pursuant to 8 U.S.C. § 1231 and continuing to detain her under an invalid agency decision. Id. at 20. 2 Injunctive relief, whether in the form of a temporary restraining order or a preliminary injunction, “is an extraordinary and drastic remedy.” *Wreal, LLC v. Amazon.com, Inc.*, 840 F.3d 1244, 1247 (11th Cir.

2016) (quoting *Siegel v. LePore*, 234 F.3d 1163, 1176 (11th Cir. 2000)). To secure an injunction, a party must establish four elements: (1) a substantial likelihood of success on the merits; (2) irreparable injury absent an injunction; (3) the injury outweighs whatever damage an injunction may cause the opposing party; and (4) an injunction is not adverse to the public interest.

Citizens for Police Accountability Political Comm. v. Browning, 572 F.3d 1213, 1217 (11th Cir. 2009) (per curiam) (internal citation omitted); *Keister v. Bell*, 879 F.3d 1282, 1287-88 (11th Cir. 2018). Notably, where the government is the party opposing the injunction, the third and fourth factors merge. See *Gonzalez v. Governor of Georgia*, 978 F.3d 1266, 1271 (11th Cir.

2020) (discussing elements of a preliminary injunction against a government entity). The movant must clearly establish the burden of persuasion as to the four requisites. See *McDonald’s Corp. v. Robertson*, 147 F.3d 1301, 1306 (11th Cir. 1998). Considering the allegations in the Motion and Petition, the Court finds that a temporary restraining order to maintain the status quo is warranted.

See *Fernandez-Roque v. Smith*, 671 F.2d 426, 429 (11th Cir. 1982) (“One inherent characteristic of a temporary restraining order is that it has the effect 3 of merely preserving the status quo[.]”).

Without interim relief to maintain the status quo, Maryanovsky could be deported or removed from this Court's jurisdiction, effectively foreclosing any recourse.

The exigency of Maryanovsky's potential unlawful detention necessitates entry of this temporary restraining order without notice to Respondents. As such, the Motion is granted to the extent that the Court will enjoin Respondents from removing Maryanovsky from the Jacksonville Division of the Middle District of Florida.

Moreover, because there is no realistic likelihood of prejudice to Respondents from the issuance of this limited restraint, the Court exercises its discretion to dispense with the requirement that Maryanovsky provide security under Rule 65(c), Federal Rules of Civil Procedure (Rule(s)). See *Ajugwe v. Noem*, No. 8:25-CV-982-MSS-AEP, 2025 WL 1370212, at *10 (M.D.

Fla. May 12, 2025) (exercising "discretion to waive the bond requirement in Fed. R. Civ. P. 65(c)"). Notably, temporary restraining orders are meant to "preserv[e] the status quo rather than grant[] most or all of the substantive relief requested in the complaint." *Fernandez-Roque*, 671 F.2d at 429.

Therefore, insofar as Maryanovsky asks the Court to enjoin Respondents from "continuing to detain" her, her request is denied. Accordingly, it is ORDERED: 4 1. Maryanovsky's Emergency Motion for Temporary Restraining Order (Doc. 3) is GRANTED in part and DENIED in part.

The Motion is GRANTED to the extent that Respondents and any officers, agents, servants, employees, attorneys, and persons in active concert or participation with Respondents who receive actual notice of this Order, are enjoined from removing Maryanovsky from the Jacksonville Division of the Middle District of Florida up to and including January 19, 2026, unless this temporary restraining order is extended or earlier dissolved.

The security required by Rule 65(c) is waived. The Motion is DENIED in all other respects. 2. The Clerk of Court shall send a copy of the Petition for Writ of Habeas Corpus (Doc. 1) and this Order by mail and e-mail to the United States Attorney for the Middle District of Florida (USAFLM.JAX.Civil.NewCases@usdoj.gov); and by certified mail to the Director of Enforcement and Removal Operations, Miami Field Office, 865 S.W.

78th Avenue, Suite 101, Plantation, FL 33324; the Attorney General of the United States, 950 Pennsylvania Avenue NW, Washington, DC 20530; and Sheriff Scotty Rhoden, 1 Sheriff's Office Drive, Macclenny, FL 32063. All costs of service shall be advanced by the United States. 3. Counsel for Respondents shall file a notice of appearance by January 12, 2026. 5 4, The Court will conduct a status conference on January 6, 2026, at 4:30 p.m. to discuss a briefing schedule.!

The Courtroom Deputy Clerk will separately send participants an Outlook invitation with the link, meeting ID, and password. Participants should dress in appropriate court attire and appear in front

of an appropriate professional background. All persons are hereby reminded that pursuant to Local Rule 5.01, United States District Court, Middle District of Florida, “[n]o one may broadcast, televise, record, or photograph a judicial proceeding, including a proceeding by telephone or video.” Violation of these prohibitions may result in sanctions, including removal of court issued media credentials, restricted entry to future hearings, denial of entry to future hearings, or any other sanctions deemed necessary by the Court.

DONE AND ORDERED at Jacksonville, Florida, at 3:35 p.m. January 5, 2026. MARCIA MORALES HOWARD United States District Judge 1 Maryanovsky’s presence is not required.
Jax-9 1/5 c: Counsel of record 7