

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

Jose David Barraza Guzman v. S. Maurice Hicks, Jr., Heriberto
Tellez, et al.

Barraza Guzman · No. Civil Action No. 26-1058 · Decided April 7, 2026

SUMMARY

The United States District Court for the Western District of Louisiana denied Jose David Barraza Guzman's motion for a temporary restraining order in connection with his habeas petition challenging his immigration detention. The court concluded that the requested release would effectively resolve the habeas petition without full briefing, that it lacked jurisdiction to stay removal under 8 U.S.C. § 1252(g), and that speculative concerns about transfer or re-arrest did not establish irreparable injury. The memorandum order was signed on April 7, 2026.

CASE DETAILS

COURT	United States District Court for the Western District of Louisiana, Shreveport Division
JURISDICTION	United States District Court for the Western District of Louisiana, Shreveport Division
DECIDED	April 7, 2026
DOCKET	Civil Action No. 26-1058
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner moved for a temporary restraining order while his petition for a writ of habeas corpus challenging immigration detention was pending.
STANDARD OF REVIEW	A temporary restraining order requires a substantial likelihood of success on the merits, a substantial threat of irreparable injury, a balance of threatened harms favoring relief, and consistency with the public interest. Granting or denying a TRO rests within the district court's discretion.
PRECEDENTIAL VALUE	unpublished district-court opinion
PARTIES	Jose David Barraza Guzman v. S. Maurice Hicks, Jr., Heriberto Tellez, et al.

TOPICS

injunctions

immigration detention

removal proceedings

subject matter jurisdiction

immigration

PRACTICE AREAS

immigration

civil procedure

constitutional law

remedies

QUESTIONS PRESENTED

1. Whether petitioner was entitled to a temporary restraining order granting relief that substantially duplicated the ultimate relief sought in his habeas petition.
2. Whether the district court had jurisdiction to enjoin petitioner's removal from the United States.
3. Whether petitioner demonstrated irreparable injury sufficient to justify an order prohibiting his transfer or re-arrest.

HOLDINGS

1. The court denied emergency injunctive relief because the requested release and detention-related relief substantially mirrored the ultimate relief sought in the habeas petition and would effectively decide the habeas case before full briefing and development of the record.
2. The court lacked jurisdiction to grant petitioner's request for a stay of removal because such a request constituted a challenge to a removal order and fell within the jurisdictional bar of 8 U.S.C. § 1252(g).
3. Petitioner was not entitled to an order prohibiting his transfer or re-arrest because speculation and conclusory allegations of irreparable injury were insufficient, and he did not show that such relief was necessary to preserve the court's ability to adjudicate the habeas petition.

KEY QUOTATIONS

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

“The Court declines to shortcut the habeas process through emergency injunctive relief.”

“federal courts lack jurisdiction over claims connected directly and immediately with a decision or action by the Attorney General to commence proceedings, adjudicate cases, or execute removal orders.”

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

FACTUAL BACKGROUND

Jose David Barraza Guzman, a native of El Salvador, was detained at Jackson Parish Correctional Center after immigration authorities re-arrested him in October 2025. He alleged that he had previously been released on recognizance and later received deferred action and employment authorization based on a bona fide determination of his U-visa application. His habeas petition challenged the legality of his detention and sought

release or a constitutionally sufficient custody determination, while his TRO motion sought substantially the same relief and also sought to prevent removal, transfer, or re-arrest.

PROCEDURAL HISTORY

Barraza Guzman filed a habeas petition and a motion for a temporary restraining order on April 6, 2026. He sought immediate release, a custody determination, and orders preventing his removal, transfer, or re-arrest. The district court denied the motion, concluding that the requested relief largely duplicated the ultimate habeas relief, that it lacked jurisdiction over a stay of removal, and that the transfer and re-arrest claims did not establish irreparable injury.

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)
- Imran v. Harper, No. 25-30370, 2026 WL 93131, at *1 (5th Cir. Jan. 13, 2026)
- In re Asemani, 2025 WL 1823953, at *1 (4th Cir. July 2, 2025)
- Humphries v. Various Fed. USINS Emps., 164 F.3d 936, 943 (5th Cir. 1999)
- Fabuluje v. Immigration & Naturalization Agency, 244 F.3d 133, 133 (5th Cir. 2001) (unpublished)
- Idokogi v. Ashcroft, 66 F. App'x 526, 526 (5th Cir. 2003)
- Westley v. Harper, No. CV 25-229, 2025 WL 592788, at *4 (E.D. La. Feb. 24, 2025)
- Lotter v. Lyons, 2025 WL 2946630, at *1 (W.D. Tex. Aug. 22, 2025)

OPINION

Barraza-Guzman

PER CURIAM.

UNITED STATES DISTRICT COURT

WESTERN DISTRICT OF LOUISIANA

SHREVEPORT DIVISION

JOSE DAVID BARRAZA GUZMAN CIVIL ACTION NO. 26-1058

VERSUS JUDGE S. MAURICE HICKS, JR.

HERIBERTO TELLEZ, ET AL. MAGISTRATE JUDGE AYO

MEMORANDUM ORDER

Before the Court is a Motion for Temporary Restraining Order (“TRO”) (Record Document 2) filed by Petitioner Jose David Barraza Guzman (“Petitioner”). Petitioner is a native of El Salvador who is currently detained at Jackson Parish Correctional Center. See Record Document 1 at 2. According to the pleadings, Petitioner was previously released under an Order of Release on Recognizance over nine years ago. See *id.* Petitioner further alleges that he was later granted deferred action and employment authorization pursuant to a bona fide determination of his U-visa application, and that such deferred action has not been formally revoked. See *id.* at 6. Petitioner was re-arrested by immigration authorities in October 2025 and is presently detained. See *id.* at 7. On April 6, 2026, Petitioner filed a Petition for Writ of Habeas Corpus (Record Document 1) along with the instant Motion. In his Habeas Petition, Petitioner challenges the legality of his current detention and seeks immediate release from custody, or alternatively, a constitutionally sufficient custody determination. See *id.* at 22. Likewise, in the instant Motion, Petitioner seeks substantially identical relief—namely, immediate release from custody and an order restraining Respondents from re-arresting, transferring, or removing him pending adjudication of the habeas petition. See Record Document 2 at 2. 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. See *Misquitta v. Warden Pine Prairie ICE Processing Center*, 353 F. Supp. 518, 521 (W.D. La. Nov. 16, 2018) (citing *Piedmont Heights Civic Club, Inc. v. Moreland*, 637 F.2d 430 (5th Cir. 1981)). The decision of whether to grant or deny a TRO lies in the district court’s discretion. See *Moore v. Brown*, 868 F.3d 398, 402 (5th Cir. 2017). And courts should deny such motions more often than not. See *Albright v. City of New Orleans*, 46 F.Supp.2d 523, 532 (E.D. La. 1999) (explaining that temporary restraining orders are “extraordinary relief and rarely issued.”); see also *Suburban Propane, L.P. v. D & S GCTX LLC*, 2025 WL 2429087, at *2 (W.D. Tex. 2025) (holding that the extraordinary relief under Rule 65 must be “unequivocally show[n].”); see also *Anderson v. Jackson*, 556 F.3d 351, 355–56 (5th Cir. 2009) (“Only under ‘extraordinary circumstances’ will this court reverse the denial of a preliminary injunction.”). In this case, the relief requested in the Motion substantially mirrors the ultimate relief sought in the habeas petition (a determination that Petitioner’s detention is unlawful and that he must be released). Seeking injunctive relief that mirrors the relief requested in the habeas petition is nothing more than a motion to decide the habeas petition now. See *Garcia-Aleman v. Thompson*, No. 5:25-CV-00886, ECF No. 20 (S.D. Tex. Oct. 30, 2025). Granting the requested relief at this stage would effectively resolve the central legal dispute presented in the habeas proceeding without the benefit of full briefing or a developed record. The Court declines to shortcut the habeas process through emergency injunctive relief. Moreover, to the extent Petitioner seeks to enjoin Respondents from removing him from the United States, this Court lacks jurisdiction to

grant such relief. Even if framed as seeking to preserve the status quo, a request for stay of removal is a challenge to a removal order. See *Imran v. Harper*, No. 25-30370, 2026 WL 93131, at *1 (5th Cir. Jan. 13, 2026), citing *In re Asemani*, 2025 WL 1823953, at *1 (4th Cir. July 2, 2025) (construing habeas petitioner's request for stay as seeking review of the final removal order). The Fifth Circuit recently reiterated that "federal courts lack jurisdiction over claims connected directly and immediately with a decision or action by the Attorney General to commence proceedings, adjudicate cases, or execute removal orders." *Id.*, citing *Humphries v. Various Fed. USINS Emps.*, 164 F.3d 936, 943 (5th Cir. 1999) and 8 U.S.C. § 1252(g) (internal quotations omitted). Thus, this Court is without jurisdiction to grant Petitioner's request for stay of removal. See *id.*, citing *Fabuluje v. Immigration & Naturalization Agency*, 244 F.3d 133, 133 (5th Cir. 2000) (unpublished) (holding that district court was without jurisdiction to grant stay of removal under § 1252(g)); *Idokogi v. Ashcroft*, 66 F. App'x 526, 526 (5th Cir. 2003) (same); see also *Westley v. Harper*, No. CV 25-229, 2025 WL 592788, at *4 (E.D. La. Feb. 24, 2025). Finally, Petitioner also seeks to prohibit his transfer or re-arrest. However, "[m]ere speculation or conclusory allegations of an irreparable injury are insufficient to entitle a movant to injunctive relief." *Lotter v. Lyons*, 2025 WL 2946630, at *1 (W.D. Tex. Aug. 22, 2025). Petitioner has not demonstrated that such relief is necessary to preserve this Court's ability to adjudicate the habeas petition. Further, the Court is reluctant to set a precedent that would interfere with the government's need to transfer any immigration detainee with a pending habeas petition. Accordingly, IT IS ORDERED that Petitioner's Motion for Temporary Restraining Order (Record Document 2) is DENIED. THUS DONE AND SIGNED, in Shreveport, Louisiana, this 7th day of April, 2026. K|Ppeticecr [ober UNITED STATES DISTRICT COURT