

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

T.S.,

Plaintiff,

v.

**TEMPORARY RESTRAINING
ORDER**

6:25-CV-6211 EAW

KRISTI NOEM, in her official capacity as Secretary,
U.S. Department of Homeland Security, and
TODD LYONS, in his official capacity as Acting
Director, Immigration & Customs Enforcement,

Defendants.

Plaintiff T.S. (“Plaintiff”) is a full-time post-doctoral student at the Rochester Institute of Technology (“RIT”). On April 10, 2025, Plaintiff was notified by RIT’s Director of International Student Services that his SEVIS registration—which gives him student status in the United States—was terminated, because he was an “Individual identified in criminal records check and/or has had their VISA revoked.” (Dkt. 1 at ¶ 3). Plaintiff alleges that neither he nor RIT received notice from the Department of Homeland Security or the Department of State regarding the termination of his status. (*Id.*).

On April 17 and April 18, 2025, Plaintiff filed a complaint and a motion for a temporary restraining order (“TRO”) against defendants Kristi Noem and Todd Lyons (“Defendants”). (Dkt. 1; Dkt. 9). The memorandum of law submitted in support of the motion for a TRO (Dkt. 10) references exhibits that are not attached to it or to the

complaint. Plaintiff has also submitted, under separate cover, a proposed TRO (1) enjoining Defendants from terminating Plaintiff's status, and (2) enjoining Defendants from initiating removal proceedings and otherwise removing Plaintiff. (Dkt. 11).

The Court has reviewed Plaintiff's submissions, and grants the motion for a TRO in part. Specifically, it is hereby ordered that Defendants are restrained from removing Plaintiff from the United States and the jurisdiction of this Court, until further order of the Court.

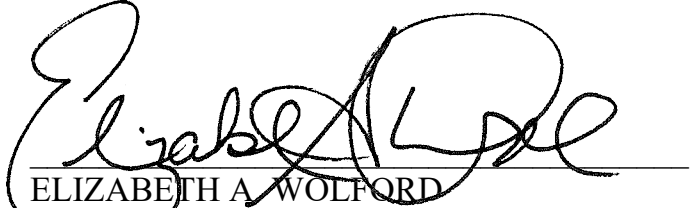
It is further ordered that the TRO granted herein shall expire on May 5, 2025, at 9:15 a.m., unless within such time, the TRO, for good cause shown, is extended for an additional period not to exceed fourteen (14) calendar days, or as otherwise provided by Federal Rule of Civil Procedure 65.

It is further ordered that a status conference is scheduled for Wednesday, April 23, 2025, at 11:00 a.m., before the undersigned, at the United States Courthouse, 100 State Street, Rochester, New York. This appearance will be in person, but if any counsel who has appeared for the parties is located outside the Western District of New York, he or she may request permission to appear by telephone by emailing a request to the undersigned's Chambers at wolford@nywd.uscourts.gov, on or before 3:00 p.m. on Tuesday, April 22, 2025.

It is further ordered that Plaintiff is directed to serve a copy of this TRO on the United States Attorney for the Western District of New York, 100 State Street, Rochester,

New York 14614, by hand delivery and electronic mail at USANYW-Immigration-Habeas@usdoj.gov and at Michael.DiGiacomo@usdoj.gov, and to file a certificate of service confirming the same, on or before 5:00 p.m. on Monday, April 21, 2025.

IT IS SO ORDERED, this 21st day of April, 2025, at 9:15 a.m., in Rochester, New York.



ELIZABETH A. WOLFORD
Chief Judge
United States District Court