

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

RHODE ISLAND STATE COUNCIL OF
CHURCHES, *et al.*,

Plaintiffs,

v.

BROOKE ROLLINS, *et al.*,

Defendants.

Case No. 25-569

**EMERGENCY RELIEF
REQUESTED**

**MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY STAY
UNDER 5 U.S.C. § 705**

Plaintiffs hereby move for a temporary restraining order under Federal Rule of Civil Procedure 65 and a preliminary stay under 5 U.S.C. § 705, to run concurrently with the temporary restraining order, regarding Defendants' abrupt suspension of benefits for the Supplemental Nutrition Assistance Program (SNAP) and their early termination of waivers for able-bodied adults without dependents (ABAWDs). Plaintiffs respectfully request that the Court enter relief with respect to the suspension of SNAP benefits in advance of November 1, when SNAP benefits will be cut off, and that it enter relief with respect to the early termination of waivers no later than November 2, when the termination is set to go into effect. As set forth in the attached memorandum and supporting declarations, Defendants' actions violate the Administrative Procedure Act because they are contrary to law, arbitrary and capricious, and in excess of statutory authority, and because Defendants have unlawfully withheld agency action. Plaintiffs will suffer immediate and irreparable harm absent a temporary restraining order and a preliminary stay. And the balance of equities and public interest weigh strongly in Plaintiffs'

favor. Accordingly, Plaintiffs respectfully request that the Court immediately issue an order granting the following relief:

1. Temporarily enjoin Defendants from enforcing, implementing, giving effect to, maintaining, or reinstating under a different name the directives in the October 10, 2025, memorandum (“Supplemental Nutrition Assistance Program (SNAP) Benefit and Administrative Expense Update for November 2025”) or the October 24, 2025, memorandum (“Supplemental Nutrition Assistance Program (SNAP) Benefit and Administrative Expense Update for November 2025”).
2. Temporarily stay those directives under 5 U.S.C. § 705.
3. Temporarily enjoin and compel Defendants to release the withheld funding for SNAP benefits insofar as funds are available under the contingency funds from the FY24 and FY25 appropriations or under USDA’s authority under 7 U.S.C. § 2257.
4. Temporarily stay, under 5 U.S.C. § 705, Defendants’ early termination of ABAWD waivers before their expiration date.
5. Temporarily enjoin Defendants from enforcing, implementing, giving effect to, maintaining, or reinstating under a different name the termination of ABAWD waivers before the waivers’ expiration dates.
6. Order Defendants to immediately take every step necessary to effectuate the Court’s order, including clearing any administrative, operational, or technical hurdles to implementation, including but not limited to requesting or effectuating any necessary apportionment of these funds by the U.S. Office of Management and Budget or any submission or approval of an updated U.S. Department of Agriculture lapse plan.

7. Order Defendants, within 24 hours of entry of a temporary restraining order or preliminary stay, to file a notice confirming that they have informed relevant officials of the court order and to file a status report confirming that they have taken whatever steps are necessary to comply with that temporary restraining order or stay, and to file reports every 48 hours as to the status of the release of funds pursuant to paragraph 3 of this Order pending satisfaction of this Court.

Plaintiffs also respectfully request expedited consideration of this motion.

October 30, 2025

Respectfully submitted,

/s/ Amy R. Romero

Amy R. Romero (RI Bar # 8262)
Kevin Love Hubbard (MA Bar #704772)[^]
DeLuca, Weizenbaum, Barry & Revens, Ltd.
199 North Main Street
Providence, RI 02903
(401) 453-1500
Amy@dwbrlaw.com
Kevin@dwbrlaw.com
Cooperating counsel, Lawyers' Committee for RI

/s/ Kristin Bateman

Kristin Bateman (D.C. Bar No. 90037068)[^]
Jyoti Jasarasaria (D.C. Bar No. 1671527)[^]
Michael J. Torcello (D.C. Bar No. 90014480)[^]
Andrew Bookbinder (D.C. Bar No. 90028967)[^]
Adnan Perwez (D.C. Bar No. 90027532)[^]
Robin F. Thurston (D.C. Bar No. 1531399)[^]
Skye L. Perryman (D.C. Bar No. 984573)[^]
Democracy Forward Foundation
P.O. Box 34553
Washington, D.C. 20043
(202) 448-9090
kbateman@democracyforward.org
jjasrasaria@democracyforward.org
mtorcello@democracyforward.org
abookbinder@democracyforward.org
aperwez@democracyforward.org

rthurston@democracyforward.org
sperryman@democracyforward.org

Counsel for Plaintiffs

[^]*Pro hac vice* motion forthcoming

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the within document, the attached memorandum in support, and all attached supporting exhibits via the Court's CM/ECF system on the 30th day of October 2025, that the participants in the case that are registered CM/ECF users will be served electronically by the CM/ECF system, and that I provided the same documents by email to: Joseph Borson (Joseph.Borson@usdoj.gov) and Jason Altabet (jason.k.altabet2@usdoj.gov) of the U.S. Department of Justice, Civil Division, Federal Programs Branch and Kevin Bolan (kevin.bolan@usdoj.gov), Civil Chief of the U.S. Attorney's Office for the District of Rhode.

/s/ Amy R. Romero

Amy R. Romero