

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

ARAB AMERICAN CIVIL RIGHTS
LEAGUE (“ACRL”), et al.

Plaintiffs,

v.

DONALD TRUMP, et al.

Defendants.

Case No.: 17-cv-10310
Hon.: Victoria A. Roberts
Mag.: Stephanie D. Davis

**PLAINTIFFS’ NOTICE OF WITHDRAWAL OF MOTION FOR
TEMPORARY RESTRAINING ORDER (Doc #5)**

On February 2, 2017, Plaintiffs filed a motion for a Temporary Restraining Order (Doc. 5) seeking emergency relief from the operation of Executive Order 13769, “Protecting the Nation from Foreign Terrorist Entry into the United States,” 82 Fed. Reg. 8977 (Jan. 27, 2017). In response, this Court issued an immediate order enjoining Defendants “from applying Sections 3(c) and 3(e) of the January 27, 2017 Executive Order against lawful permanent residents of the United States.” Doc #8, Pg ID 70 (the LPR Order).

The Court set a briefing schedule for the other issues raised by the motion. Defendants’ response was filed February 8, 2017; Plaintiffs’ reply is due by 5 p.m.

on February 10, 2017. The remaining issues in the TRO motion concern immigrant visa holders.

Due to changed circumstances since Plaintiffs originally filed the TRO motion, Plaintiffs hereby withdraw the motion. Because of the entry of a broad, nationwide Temporary Restraining Order in *State of Washington v. Trump*, No. 2:17-cv-00141 (W.D. Wash. Feb. 3, 2017),¹ several of the immigrant visa holder plaintiffs have already entered the United States and the rest plan to arrive either today or in the next several days. Accordingly, there is no need for further emergency relief. Once the immigrant visa holders are admitted to the United States, they do not currently anticipate needing additional immediate relief. Plaintiffs will return to this Court with a motion for a preliminary injunction, supported by suitable briefing and evidentiary record, if such a motion is appropriate in the future.

To be clear, there remains an ongoing need for the LPR Order, as explained in Plaintiffs' Opposition to Motion to Dissolve Injunction (ECF #20), filed Feb. 7,

¹ See <https://www.clearinghouse.net/chDocs/public/IM-WA-0029-0005.pdf>. The District Court denied a stay of that motion. See Transcript, Exhibit E to Emergency Motion Under Circuit Rule 27-3 for Administrative Stay and Motion for Stay Pending Appeal, *State of Washington v. Trump*, 17-35105 (9th Cir., Feb. 4, 2017), ID 10302845, Dkt Entry 14, p. 123 of 125. The 9th Circuit has denied an administrative stay, as well, see Order, *State of Washington v. Trump*, 17-35105 (9th Cir., Feb. 4, 2017), <https://www.clearinghouse.net/chDocs/public/IM-WA-0029-0016.pdf>, but has not yet ruled on the Defendants' stay application on its merits.

2017. The legal permanent resident plaintiffs continue to plan and desire to travel outside the country for personal and/or business reasons—and absent the LPR Order cannot undertake such travel with assurance that they will be able to return to the United States. But no current pressing need or plan to travel justifies emergency relief for the other plaintiffs.

CONCLUSION

For the foregoing reasons, the Plaintiffs withdraw the Feb. 2, 2017 motion for a Temporary Restraining Order.

Respectfully submitted,

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