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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

DIGNITY NOT DETENTION  
COALITION and JOHN DOE,

Petitioners and Plaintiffs,

v.

CITY OF CALIFORNIA CITY and  
CORECIVIC, INC.,

Respondents and Defendants.

Case No. 1:25-cv-01292 JLT CDB

ORDER DENYING REQUEST FOR  
TEMPORARY RESTRAINING ORDER;  
ORDER DENYING MOTION TO FILE  
SUPPLEMENTAL RESPONSE

(Doc. 10, 32)

**I. INTRODUCTION**

Plaintiffs, a Coalition<sup>1</sup> of community organizations concerned with immigrant rights and municipal planning issues, (*see* Doc. 1-3, ¶ 7), as well as one detainee at the California City Correctional Facility (*id.*, ¶ 9), filed suit in Kern County Superior Court on September 16, 2025, against the City of California City and CoreCivic, Inc., the federal contractor operating the Facility. (*See generally id.*) Plaintiffs allege that California City unlawfully approved (or tacitly approved) the reopening of the Facility and its “conversion” into immigration detention facility (the “Project”) in violation of the California City Municipal Code and state planning and zoning

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<sup>1</sup> The Coalition identifies itself as “Dignity not Detention.” Contrary to Defendant CoreCivic’s suggestion (Doc. 18 at 11), an unincorporated association of this nature appears to have the capacity to sue in this Court. *See* Fed. R. Civ. Proc. 17(b) (“Capacity to sue or be sued is determined . . . by the law of the state where the court is located”); Cal. Code. Civ. Proc. § 369.5 (“A partnership or other unincorporated association, whether organized for profit or not, may sue and be sued in the name it has assumed or by which it is known.”).

1 laws (*id.*, ¶¶ 39–51); that California City relatedly failed to enforce its own zoning code against  
2 the Project, which Plaintiffs assert is a mandatory duty (*id.*, ¶¶ 52–56); that California City  
3 violated California Civil Code § 1670.9(a) (alternatively referenced as SB 29) by tacitly  
4 approving the Project without complying with SB 29’s notice and public hearing requirements  
5 (*id.*, ¶¶ 57–63); that CoreCivic is operating the Facility without a proper business license (*id.*,  
6 ¶¶ 64–70); and that the above allegations also amount to violations of California’s Unfair  
7 Competition Law, Cal. Bus. Prof. Code § 17200 et seq. (*Id.*, ¶¶ 71–77.) The Complaint requests  
8 writs of mandate that direct the City to vacate and set aside any approval of the Project and  
9 require the City to comply with SB 29 and its own municipal code; injunctive relief restraining  
10 Defendants from taking any actions to “implement the Project”; and other related declaratory and  
11 injunctive relief. (*Id.* at 18–19.)

12 The matter was removed to this Court on October 1, 2025, and was randomly assigned to  
13 another district judge at that time. (Doc. 1.) On October 17, 2025, Plaintiffs formally noticed a  
14 motion for temporary restraining order requesting that: (1) California City be enjoined from  
15 issuing new approvals or permits for the operation or expansion of the Facility unless and until  
16 the City has complied with applicable provisions of its Municipal Code and SB 29; and (2)  
17 CoreCivic be enjoined from (a) physically expanding or remodeling the Facility for the purpose  
18 of expanding the current detained population, and/or (b) accepting and detaining new immigrant  
19 transferees at the Facility, unless and until CoreCivic has obtained the necessary approvals under  
20 the City’s Municipal Code. (Doc. 10.) According to undisputed facts in the record, as of October  
21 25, 2025, the facility held 746 detainees. (Doc. 18-4, ¶ 11, n. 2.) CoreCivic expects the facility to  
22 reach its full capacity of 2,560 detainees in early 2026. (Doc. 1-5, ¶¶ 22, 25.)

23 Defendants filed oppositions to the request for injunctive relief, (Docs. 17, 18), and  
24 Plaintiffs filed a consolidated reply. (Doc. 23.) On October 31, 2025, the matter was reassigned to  
25 the undersigned after the initially assigned district judge recused himself. (Doc. 26.)

26 For the reasons set forth below, the Court finds that on the present record Plaintiffs have  
27 not established irreparable injury sufficient to justify emergency injunctive relief.<sup>2</sup> The Court

28 \_\_\_\_\_  
<sup>2</sup> For this reason, it is not necessary to address the other prongs of the injunctive relief framework at this time.

1 therefore **DENIES** the TRO request<sup>3</sup> without prejudice to the filing of a properly noticed motion  
2 for preliminary injunction, assuming the factual record can be developed to support such a  
3 motion.

## 4 II. STANDARD OF DECISION

5 The standard for issuing a TRO is the same as the standard for issuing a preliminary  
6 injunction. *See Stuhlberg Int'l Sales Co. v. John D. Brush & Co.*, 240 F.3d 832, 839 n. 7 (9th Cir.  
7 2001) (explaining that the analysis for temporary restraining orders and preliminary injunctions is  
8 “substantially identical”). When seeking a TRO or PI, plaintiffs must establish: (1) they are  
9 “likely to succeed on the merits” of their claims, (2) they are “likely to suffer irreparable harm in  
10 the absence of a preliminary injunction,” (3) “the balance of equities tips in [their] favor” and (4)  
11 “an injunction is in the public interest.” *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20  
12 (2008). The moving party has the burden to “make a showing on all four prongs” of the *Winter*  
13 test to obtain a preliminary injunction. *Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127,  
14 1135 (9th Cir. 2011). Thus, the moving party has “the burden of persuasion.” *Mazurek v.*  
15 *Armstrong*, 520 U.S. 968, 972 (1997); *Hecox v. Little*, 104 F.4th 1061, 1073 (9th Cir. 2023). The  
16 Court may weigh the request for a preliminary injunction with a sliding-scale approach. *Alliance*,  
17 at 1135 (9th Cir. 2011). Accordingly, a stronger showing on the balance of hardships may support  
18 the issuance of a preliminary injunction where there are “serious questions on the merits ... so  
19 long as the plaintiff also shows that there is a likelihood of irreparable injury and that the  
20 injunction is in the public interest.” *Id.* “A preliminary injunction is an extraordinary remedy  
21 never awarded as of right.” *Winter*, 555 U.S. at 24. Preliminary injunctions are intended “merely  
22 to preserve the relative positions of the parties until a trial on the merits can be held, and to  
23 balance the equities as the litigation moves forward.” *Lackey v. Stinnie*, 604 U.S. 192, 201 (2025)  
24 (citations omitted).

25 Both the traditional and the “sliding scale” standards require plaintiffs seeking a  
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28 <sup>3</sup> “A district court is not required to hold an evidentiary hearing before denying a motion seeking a preliminary  
injunction or TRO.” *Manago v. McMahon*, No. 5:21-CV-01370 MCS (KES), 2022 WL 2235479, at \*2 (C.D. Cal.  
Jan. 18, 2022) (citing *Kenneally v. Lungren*, 967 F.2d 329, 334–35 (9th Cir. 1992)).

1 temporary restraining order to establish that they are likely to suffer irreparable harm in the  
2 absence of the requested injunction. *Alliance for the Wild Rockies*, 632 F.3d 1134–35; *Winter*,  
3 555 U.S. at 20–22 (rejecting an approach that permitted mere “possibility” of irreparable harm if  
4 there is a strong likelihood of success on the merits). “Irreparable harm is traditionally defined as  
5 harm for which there is no adequate legal remedy, such as an award of damages.” *Ariz. Dream*  
6 *Act Coal. v. Brewer*, 757 F.3d 1053, 1068 (9th Cir. 2014) (citing *Rent-A-Ctr., Inc. v. Canyon*  
7 *Television & Appliance Rental, Inc.*, 944 F.2d 597, 603 (9th Cir. 1991)). “[M]onetary injury is not  
8 normally considered irreparable.” *hiQ Labs, Inc. v. LinkedIn Corp.*, 31 F.4th 1180, 1188 (9th Cir.  
9 2022) (quoting *Los Angeles Mem’l Coliseum Comm’n v. Nat’l Football League*, 634 F.2d 1197,  
10 1202 (9th Cir. 1980)). Irreparable harm is harm that is immediate, rather than remote or  
11 speculative. *City of Los Angeles v. Lyons*, 461 U.S. 95, 111 (1983) (The requirement of  
12 irreparable injury “cannot be met where there is no showing of any real or immediate threat that  
13 the plaintiff will be wronged . . .”); *see also Caribbean Marine Services Co., Inc. v. Baldrige*,  
14 844 F.2d 668, 674 (9th Cir. 1988) (holding that a “speculative” injury does not constitute  
15 irreparable harm); *Nat’l Football League*, 634 F.2d at 1201 (holding that plaintiffs bear the  
16 “burden of demonstrating immediate threatened injury as a prerequisite to preliminary injunctive  
17 relief”).

### 18 III. DISCUSSION

#### 19 A. Harm to the Coalition and its Members

20 The Complaint alleges that Coalition member organizations engage in a variety of  
21 activities, including “providing resources and support to communities and organizations working  
22 on immigration enforcement issues, supporting formerly-incarcerated community members in  
23 leadership development, educating elected officials and the public on detention conditions and  
24 detention-related state laws, and engaging elected officials to take steps to protect immigrant  
25 community members.” (Doc. 1-3, ¶ 8.) According to Plaintiffs, “conversion and population of the  
26 Facility would frustrate the Coalition’s mission and goals by undermining the protections of SB  
27 29,” a law Coalition members advocated for, “thereby setting a precedent that other cities or  
28 corporations could ignore the law as well.” (*Id.*) However, this form of harm can be remedied at

1 law by way of a favorable decision in this litigation, so will be disregarded for purposes of  
2 determining whether Plaintiffs have established irreparable harm sufficient to justify preliminary  
3 injunctive relief.

4 The Coalition also claims that re-population of the Facility is causing its members to  
5 divert resources “to monitor yet another detention site and mobilize additional efforts to compel  
6 compliance with the law.” (Doc. 1-3. ¶ 8.) Relatedly, the Coalition claims harm because its  
7 member organizations have been required to “expend resources to investigate the City’s and  
8 CoreCivic’s unlawful conduct and advocate for its clients and members who are being, and would  
9 continue to be harmed by City’s and CoreCivic’s actions.” (*Id.*) This appears to boil down to an  
10 assertion that Coalition member organizations are being injured because they had to prepare for  
11 and prosecute this lawsuit. This form of injury does not constitute irreparable harm for the  
12 purposes of injunctive relief either. *See Renegotiation Bd. v. Bannerkraft Clothing Co.*, 415 U.S.  
13 1, 24 (1974) (“Mere litigation expense, even substantial and unrecoupable cost, does not  
14 constitute irreparable injury.”); *Nationwide Biweekly Admin., Inc. v. Owen*, 873 F.3d 716, 736 n.  
15 20 (9th Cir. 2017) (same).

16 In reply, Plaintiffs suggest they can demonstrate irreparable harm because the “Coalition,  
17 and hundreds of other organizations and individuals who have vigorously protested the Facility’s  
18 illegal opening and operation, would continue to be unlawfully deprived of their statutory right to  
19 open and public hearings on the City’s issuance of permits to the Facility.” (Doc. 23 at 25–26.)  
20 “A procedural injury alone is insufficient to establish injury-in-fact for standing purposes, much  
21 less to demonstrate the irreparable injury required to justify injunctive relief.” *Sierra Forest*  
22 *Legacy v. Sherman*, 951 F. Supp. 2d 1100, 1111 (E.D. Cal. 2013); *see Hoopa Valley Tribe v. U.S.*  
23 *Bureau of Reclamation*, No. 1:20-CV-01814 JLT EPG, 2023 WL 2617322, at \*11 (E.D. Cal.  
24 Mar. 23, 2023) (collecting cases); *see also Ctr. for Food Safety v. Vilsack*, 636 F.3d 1166, 1171  
25 (9th Cir. 2011) (noting in a case concerning a procedural injury that “a plaintiff may establish  
26 standing to seek injunctive relief yet fail to show the likelihood of irreparable harm necessary to  
27 obtain it”). Nonetheless, procedural injury remains a “relevant consideration” because a showing  
28 of actual irreparable harm may be “compounded” by procedural injury. *See Citizens for Better*

1 *Forestry v. United States Dept. of Agriculture*, 341 F.3d 961, 970–71 (9th Cir. 2003). However,  
2 as discussed below, the showing of irreparable harm is otherwise unsupported on this record.

3 Finally, the Coalition indicates that one of its individual member organizations serves  
4 John Doe as a client. (Doc. 1-3, ¶ 8.) Whether John Doe has demonstrated irreparable harm  
5 sufficient to justify an emergency injunction is discussed below.<sup>4</sup>

## 6 **B. Showing of Possible Irreparable Harm to Detainee John Doe**

### 7 1. Alleged Abuses by CoreCivic at Other Facilities

8 Plaintiffs allege that “CoreCivic has a long history of abusing the people it is paid to  
9 imprison.” (Doc. 10-3 at 12.) They direct the Court’s attention to reports detailing conditions of  
10 confinement at CoreCivic’s other facilities, including a 2015 briefing to the U.S. Commission on  
11 Civil Rights, which states, among other things, that detainees had been served maggot-filled food  
12 and that many detainees lost weight during detention. (*See* Doc. 11, Ex. 23.) Another report,  
13 dating to 2020, suggests that delays and denials of medical care, including for serious conditions,  
14 were (at least then) common at detention facilities generally, with some examples provided from  
15 CoreCivic’s other facilities. (*Id.*, Ex. 24.) Another news article reports that a CoreCivic employee  
16 at a different facility was a serial sexual predator who assaulted numerous detained females  
17 before delivering them to their deportation flights. (*Id.*, Ex. 25.) Additional attached documents

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18 <sup>4</sup> As discussed in some additional detail below, in their attempt to show irreparable harm, Plaintiffs appear to rely on  
19 harm to third parties, including to current detainees at the Facility (other than John Doe) as well as to future detainees  
20 at the Facility, even though this case is not styled as a class or other form of collective action. As one district court  
recently explained:

21 On rare occasions, a plaintiff may vicariously assert the rights of third parties when the plaintiff (1)  
22 demonstrates that they have suffered an injury in fact giving them a “sufficiently concrete interest” in the  
23 issue in dispute; (2) demonstrates “a close relation” with the person who possesses the right; and (3)  
24 demonstrates a “hindrance to the Third Party’s ability to protect his or her own interests.” *Powers v. Ohio*,  
25 499 U.S. 400, 411 (1991). *See also Kowalski v. Tesmer*, 543 U.S. 125, 129-30 (2004); *Fleck & Assocs., Inc.*  
*v. City of Phoenix*, 471 F.3d 1100, 1105 (9th Cir. 2006) (noting that “a litigant who has already met the  
26 constitutional requirements” may also sometimes turn to third-party standing to assert the rights of others,  
27 provided they meet both Article III and prudential requirements). A relationship is “close,” for purposes of  
28 third-party standing, where “the [litigant] is fully, or very nearly, as effective a proponent of the right as the  
[third party].” *Singleton v. Wulff*, 428 U.S. 106, 115 (1976).

26 *Doe v. Lombardo*, 745 F. Supp. 3d 1109, 1122 (D. Nev. 2024). However, it is unclear whether any of the current  
27 detainees at the Facility (apart from John Doe who presumably is the client of a Coalition member referenced in  
28 paragraph 8 of the complaint) are clients of or otherwise have a “close relationship” with any Coalition member  
organization. Moreover, the Supreme Court has found that a future client relationship is not sufficiently close to  
confer third party standing. *See Kowalski*, 543 U.S. at 129-30. Thus, it is unclear how Plaintiffs can claim as  
irreparable harm injuries that may be suffered by unnamed future detainees at the Facility.

1 assert that at other CoreCivic facilities, the company may have been improperly using solitary  
2 confinement, leading to detainee deaths by suicide (*id.*, Exs. 26, 27); that detainees have sued  
3 CoreCivic for subjecting them to forced labor (*id.*, Ex. 28); and that detainees have at times  
4 lacked access to clean water and that facilities have been contaminated by raw sewage (*id.*, Ex.  
5 29). Plaintiffs also point to several reports of detainee deaths inside other CoreCivic facilities or  
6 shortly after detainees were transferred out of CoreCivic custody. (*See* Doc. 10-3 at 12.)

7 Three exhibits touch more directly upon conditions at the Facility. The first is an article  
8 published by the Antelope Valley Press on August 14, 2025 that concerns a July 22, 2025 fire  
9 inspection of the Facility. That issue is discussed below in greater detail. (Doc. 11, Ex. 11.) The  
10 second is a Fresno Bee article that, among other things, quoted one detainee who stated the living  
11 conditions at the Facility were unsanitary; reported on a sit-in/hunger strike staged by more than  
12 100 detainees to protest “widespread poor living conditions”; and relayed another detainee’s  
13 accusation that detainees had been placed on 17-hour lockdowns and pepper-sprayed for  
14 participating in the sit ins. (Doc. 11, Ex. 18.) The third, another Fresno Bee article dated  
15 September 23, 2025, paints a mixed picture of conditions at the Facility, with some reporting  
16 “humane” conditions, and others that personal hygiene products were being confiscated,  
17 medication not promptly received, and detention center staff working extremely long shifts. (Doc.  
18 11, Ex. 22.)

19 The Court has concerns about the evidentiary value of these media reports. The rules of  
20 evidence are relaxed in the context of a motion for emergency injunctive relief, *see Flynt*  
21 *Distributing Co., Inc. v. Harvey*, 734 F.2d 1389, 1394 (9th Cir. 1984), so the Court may consider  
22 hearsay evidence in relation to such motions, *see Franklin Data Ventures, Inc. v. Veristar, LLC*,  
23 No. SACV 22-00215- CJC(JDEx), 2022 WL 20273276, at \*2 (C.D. Cal. May 17, 2022), but the  
24 Court has discretion to weigh the evidence as required to reflect its reliability, *id.* (finding reliance  
25 on hearsay added to the “overall vague, speculative, and conclusory nature of [the] irreparable  
26 harm showing). Plaintiffs appear to recognize this. While arguing they “would be justified to fear  
27 irreparable harm based on CoreCivic’s track record alone—particularly given that in this case, the  
28 company has not bothered to comply with local permitting requirements before opening its

1 doors,” they nonetheless advance “further, concrete and particularized reasons to believe this  
2 specific Facility poses imminent, irreparable harm to those who are imprisoned there” through the  
3 evidence presented by Plaintiff John Doe. (Doc. 10-3 at 13.) Thus, the Court will focus on that  
4 evidence.<sup>5</sup>

5 2. John Doe’s Declarations

6 John Doe was a detainee at Golden State Annex until early September 2025, when he was  
7 transferred to the California City Facility. (Doe Decl., ¶ 5.) He articulates various concerns about  
8 conditions at the Facility. In evaluating whether his declarations support a finding of irreparable  
9 harm, the Court focuses on any connection between his complaints and the key relief requested,  
10 namely an injunction against further population of the Facility.<sup>6</sup> As Plaintiffs put it, the inquiry is  
11 whether “Petitioner John Doe’s . . . conditions of confinement will worsen as more people are  
12 packed into the substandard Facility.” (Doc. 10-3 at 14.)<sup>7</sup>

13 a. *Concerns that Have Improved*

14 John Doe asserts that detainees did not have access to hot water in the shower area when  
15 they first arrived but admits that this situation was addressed by the weekend of September 12–  
16 13. (Doe Decl., ¶ 17.) There is no suggestion in the record that a lack of hot water has persisted.

17 John Doe also complains that the tablets detainees were provided, which normally allow  
18 detainees to buy commissary items, send messages to family, talk on the phone, put in medical  
19 requests, or file grievances, did not provide all these normal functions until September 18. (*Id.*, ¶  
20 21.) Again, there is no suggestion that these issues have persisted. Thus, the Court fails to see  
21 how these concerns support a finding of irreparable harm that could be remedied by the relief  
22 requested in this case.

23 \_\_\_\_\_  
24 <sup>5</sup> For these reasons, the Court does not find it necessary to consider CoreCivic’s factual rebuttals to many of the  
assertions made in the media reports cited by Plaintiffs.

25 <sup>6</sup> As noted, Plaintiffs also request that California City be enjoined from issuing new approvals or permits for the  
26 operation or expansion of the Facility unless and until the City has complied with applicable provisions of its  
Municipal Code and SB 29, but that relief would remedy only the alleged procedural injuries, which are, on their  
27 own, insufficient to establish irreparable harm.

28 <sup>7</sup> The Court again notes that Plaintiffs have attempted to sweep into the irreparable harm analysis harm to  
unidentified current detainees and “new immigrant transferees,” (Doc. 10-3 at 14), but they fail to explain how any of  
the current Plaintiffs have standing to advance the interests of those individuals. (*See supra* note 3.)

1           b.       *General Disorganization; Lack of Cleanliness; Lack of Privacy*

2           John Doe states that the Facility “do[es] not seem ready to house human beings.” (Doe  
3 Decl. ¶ 15.) He indicates that the first cell he was placed in upon his arrival was filled with junk,  
4 including “tools and televisions” scattered on the floor. (*Id.*) However, he admits that officers  
5 moved them to another location. (*Id.*)

6           He also asserts that the Facility is “dirty and dusty” and that detainees were not given  
7 cleaning supplies until the end of September. *Id.* ¶¶ 15-16. Though they are now given cleaning  
8 supplies, he asserts “it is not enough for all of us to share.” (*Id.*, ¶ 16.)

9           John Doe also complains that the Facility showers to not provide basic privacy because  
10 (1) you can see the shower area from the housing unit’s tables (Doe Decl., ¶ 13); and the shower  
11 curtains are “held up by string or tied by plastic bags” and “often fall down while people are  
12 showering.” (Supp. Doe Decl., ¶ 7.)

13           The Court again fails to see how these concerns rise to the level of harm that would  
14 warrant the emergency relief requested. Put another way, on this record, these concerns do not  
15 seem to relate to overpopulation but rather seem to be, if anything, reflective of CoreCivic’s  
16 failure to have all services running smoothly and supplies in place when detainees first started to  
17 arrive.

18           c.       *Lack of Law Library or Legal Resources*

19           John Doe raises the following concerns about law library access:

20                   We do not have access to a library or any supplies to work on our  
21 immigration cases. Others have asked to be taken to the library but  
22 were refused. The facility does not seem to have a librarian to help  
23 us with our immigration cases. We are not given immigration forms  
here to help us with our cases. It is hard to send legal mail here as  
well. We are not given envelopes and have to buy them through  
commissary. On October 15, we were given pens for the first time.

24 (Doe Decl., ¶ 18.) In response, CoreCivic’s Warden attests that every pod at the Facility has a  
25 kiosk where detainees can access legal research materials. (Doc. 18-4 at ¶ 36.) Even assuming,  
26 *arguendo*, that the provided form of legal research access is inadequate under prevailing  
27 standards, the Court fails to see on this record how that situation is connected to overcrowding at  
28 the Facility or how enjoining the transfer of new detainees to the Facility would remedy any lack

1 of access to legal research materials suffered by John Doe.

2 d. *Lack of Access to the Outdoors*

3 John Doe indicates that since he arrived at California City he has “not been outside,” (Doe  
4 Decl., ¶ 12), but he admits that detainees are permitted at least some access to the outdoors. (*Id.*;  
5 *see also* Supp. Doe Decl., ¶ 3 (“[T]he schedule posted in my door says that we are allowed  
6 outside every day. In reality, we are only offered time outside inconsistently. For example, we  
7 were not allowed outside on Monday, October 28, 2025, without any explanation. When we are  
8 allowed outside, it is usually at different times of day than the posted schedule says.”).) Crucially,  
9 however, he admits that even when those in his dorm are allowed to go outside, he chooses not to  
10 do so because he does not want to submit to the “invasive searches” the guards perform, which,  
11 according to John Doe, involve “groping our genitals and buttocks.” (Supp. Doe Decl., ¶ 4.)  
12 Because of this admission, this is at its core an objection to the methods CoreCivic guards use to  
13 search detainees prior to scheduled outdoor recreation. It is again unclear how this relates to the  
14 relief requested here. An injunction against transferring additional detainees to the Facility will  
15 not remedy or change these search methods. To the extent John Doe’s evidence suggests that  
16 outdoor activity time is occasionally not provided as scheduled, the Court finds this concern  
17 insufficient to justify emergency injunctive relief.

18 a. Denial of Medical Care

19 John Doe reports that upon his arrival at the Facility, he initially was not provided with a  
20 medication that he must take daily, which resulted in medical symptoms. (Doe Decl., ¶ 20.) After  
21 a request and intervention by his attorney, he was given a packet of pills to take daily. (*Id.*) In his  
22 supplemental declaration, he reports that he ran out of his medication again on October 18. (*Id.*) It  
23 is unclear whether additional medication has been provided to him.<sup>8</sup> However, the Court again  
24 does not see how the emergency injunctive relief requested here would address John Doe’s  
25 medication management situation.<sup>9</sup>

26 <sup>8</sup> CoreCivic objects to this and several other factual assertions in John Doe’s supplemental declaration on the ground  
27 that they are new factual allegations disclosed for the first time after CoreCivic’s opposition brief was due. (Doc. 31.)  
28 Because the Court has determined it is not appropriate to grant the requested temporary restraining order, the Court  
finds it unnecessary to consider these objections in detail.

<sup>9</sup> John Doe also reports that upon his arrival he “began feeling sick with the flu” and developed a fever. (Doe Decl.,

1 John Doe also reports that he has witnessed multiple other persons being denied medical  
2 care at the Facility. For example, he states that another person detained in the same room as John  
3 Doe “needs a hernia surgery and cannot walk without experiencing extreme pain.” (*Id.*, ¶ 23.)  
4 John Doe asserts that guards “accused him of faking his injury and are forcing him to walk,” and  
5 they have threatened that if he does not comply with their orders, they will “tell the immigration  
6 court.” *Id.* In response, CoreCivic’s Warden attests that though he could not determine from the  
7 record which detainee John Doe was referencing, he is “aware of a detainee who was scheduled  
8 for surgery prior to being transferred to the facility and reported to staff that he was having  
9 difficulty walking.” (Doc. 18-4, ¶ 71.) Warden Chestnut indicates that the detainee “was  
10 evaluated by medical staff onsite, referred for an offsite surgical consult, and provided a  
11 wheelchair.” (*Id.*)

12 John Doe shares one other anecdote. He states that on or about October 9, 2025, an  
13 individual in Doe’s dormitory attempted to hang himself. (Doe Decl. ¶ 31.) When Doe and others  
14 called for help, guards did not come right away, and when they did arrive, they appeared not to  
15 have proper equipment to immediately assist the individual. *Id.*<sup>10</sup> Warden Chestnut refutes these  
16 assertions, stating that

17 [T]here were four staff members present in the pod at the time of the  
18 incident, and both security and medical staff responded promptly and  
19 within policy timeframes. The first officer who responded to the  
20 incident and saved the detainee’s life also responded to a prior  
21 suicide attempt by the same detainee. Also contrary to John Doe’s  
22 Declaration, most officers carry cut-down tools on their duty belts,  
23 but in this instance, no cut-down tool was needed, as the officer was  
24 able to remove the ligature used by the detainee.”.)

(Doc. 18-4, ¶ 88.) John Doe rejoins in his Supplemental Declaration that in his recollection “only  
one guard initially helped the victim. That guard appeared not strong enough to hold the victim up  
to relieve pressure, and once other guards arrived, they had to break the string with their hands

¶ 22.) Though he mentioned this upon intake “nothing was done for [him]” and he “spent [his] first days here  
shivering through and sweating out the fever.” (*Id.*) This anecdote lacks sufficient detail to support a finding of likely  
irreparable harm in the future. John Doe does not explain, for example, what any CoreCivic official may have known  
about his illness or symptoms or whether he asked for additional medical care.

<sup>10</sup> Without providing any foundation whatsoever, John Doe also states: “The day before he attempted suicide, the  
man was near me in line to talk to the officer on staff. I saw him hand the officer a note and the officer mocked him  
saying he could not speak Chinese. I believe this was a suicide note.” (Doe Decl., ¶ 31.)

1 because they did not have cut-down tools with them.” (*Id.*, ¶ 15.) Even accepting John Doe’s  
2 versions of these events as true, Plaintiffs fail to explain how the Court can consider harm to non-  
3 parties in the context of the present motion. (*See supra* note 3.) Moreover, it is likewise unclear  
4 how this anecdotal information about medical care at the Facility demonstrates irreparable harm  
5 that could be remedied by the requested injunctive relief. The evidence does not demonstrate that  
6 the medical care problems are related to overcrowding, nor does the record suggest that limiting  
7 inmate population would likely avoid similar situations.

### 8 3. Fire Inspection

9 Plaintiffs next argue that there are structural deficiencies at the Facility that pose an  
10 imminent risk of harm to Petitioner John Doe.<sup>11</sup> (Doc. 10-3 at 14; *see also* Doc. 1-3, ¶ 28.) It is  
11 undisputed that on July 22, 2025, the California City Fire Department and the City’s Director of  
12 Public Safety inspected the Facility, and that the Facility failed the inspection. (Doc. 11, Exh. 12.)  
13 The inspection found that—at least at that time—the Facility “does not comply with applicable  
14 codes” and that reopening it “will pose a serious and imminent threat to the health and safety of  
15 the community of California City, City’s emergency personnel, future detainees, those employed  
16 at the facility and visitors.” (*Id.* at 1.) Specifically, the report found that emergency  
17 communication technology was insufficient and that increased demand on the City law  
18 enforcement and emergency responders was a concern. (*See generally id.*) The Facility’s safety  
19 deficiencies were so substantial at that time that the City determined it was “not possible” for  
20 CoreCivic to fix them before November 19, 2025. (*Id.*) Plaintiffs assert that nonetheless, “just 36  
21 days later, starting on August 27, 2025, CoreCivic began locking people inside the Facility,  
22 claiming that all of the fire safety issues had been addressed.” (Doc. 10-3 at 14; *see also* Doc. 10-  
23 4, ¶ 8.)

24 However, in opposition, the City indicates that the Facility passed its final Fire and  
25 Building inspections. (Doc. 17-1, ¶ 10.) CoreCivic’s opposition provides additional details:

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27 <sup>11</sup> As mentioned, Plaintiffs insist that these concerns would pose risks of harm to other current and future detainees,  
28 but, again, they do not explain how those risks can be incorporated into the irreparable harm analysis here, given that  
this is not a class action and none of the associated organizations claim any other detainees as members. (*See supra*  
note 3.)

1 Following the inspection, and at Director [of Public Safety Justin]  
 2 Vincent's recommendation, CoreCivic hired the City's radio  
 3 consultant to address radio transmissions within the facility. (Ex. 3,  
 4 ¶ 14; Ex. 4, ¶ 42.) The temporary solution consisted of CoreCivic's  
 5 purchase of a repeater trailer at a cost of \$75,000 to boost the radio  
 6 signal to the facility and having emergency responders switch their  
 7 radios to a different channel when entering the facility. (Ex. 3, ¶¶ 14–  
 8 15, 17; Ex. 4, ¶ 45.) On August 7, 2025, the City tested and approved  
 9 this temporary solution—nearly three weeks prior to any detainees  
 10 entering the facility. (Ex. 3, ¶ 18; Ex. 4, ¶ 45.) That same day, the  
 11 Deputy Fire Marshal issued a fire clearance for the facility and told  
 CoreCivic to “contact city hall to obtain your business license.” (Ex.  
 3, ¶ 18.) Deputy Fire Marshal Hightower also gave CoreCivic 90  
 days to install a permanent solution to boost radio signals in the  
 facility. (Ex. 4, ¶ 45.) For the permanent solution, CoreCivic hired  
 Berk-Tel Communications to install an emergency responder radio  
 system in the facility at a cost of nearly \$700,000. (*Id.*, ¶ 46–48.) The  
 City Fire Department and Kern County Communications tested and  
 confirmed that the emergency responder radio system was fully  
 operational on October 14, 2025, well ahead of the 90-day deadline  
 set by the City. (*Id.*, ¶ 48.)

12 As to the stated concern that impacts to City police, fire, and EMS response would strain the City  
 13 budget, CoreCivic asserts that it addressed this concern by explaining in communications to the  
 14 City that:

15 It explained that the ICE detainee population tends to generate fewer  
 16 incidents requiring emergency response than other populations,  
 17 assured the City that CoreCivic has sufficient resources onsite and  
 18 regionally to respond to major security incidents at the facility, and  
 19 noted that there have been no fire department responses to the facility  
 during the entirety of its operation and CoreCivic has contracted with  
 an ambulance service for any emergency medical transports, and  
 agreed to reimburse the City for the cost of any future police, fire, or  
 EMS responses to the facility.

20 (Doc. 18 at 25; Doc. 18-3, ¶¶ 20–21.) Plaintiffs offer no response to these assertions in reply.

21 Thus, at this preliminary stage, Defendants rebuttal based upon subsequent developments is  
 22 undisputed.

#### 23 4. Vulnerability to Extreme Heat Event

24 Plaintiffs assert that because the Facility is in the Mojave Desert, it will be ill-equipped to  
 25 handle extreme heat events. (Doc. 10-3 at 15.) They base this assertion on a 2023 spatial analysis  
 26 that used climate modeling data to conclude that the Facility is among the detention facilities  
 27 most vulnerable to heat-related endangerment of human health. (Doc. 11, Exh. 33.) Even  
 28 assuming that modeling indicates a risk of harm during some months of the year despite

1 CoreCivic’s undisputed assertion that the entire facility is air conditioned, (*see* Doc. 18-4, ¶ 8), it  
2 is now November, and the Court takes judicial notice of the fact that it will be many months  
3 before any extreme heat event is likely to impact the high desert of Eastern California. This  
4 alleged harm does not justify treating the instant motion as an emergency that cannot be noticed  
5 on the Court’s regular calendar.

6 5. Environmental Impacts

7 Plaintiffs also assert that without “immediate injunctions” against both the City and  
8 CoreCivic, City residents on whose behalf the Coalition advocates<sup>12</sup> will “suffer the negative  
9 externalities of the Facility’s intensifying operations, including dust and other air quality impacts  
10 from increased transfers of detainees to and from the Facility” because, according to Plaintiffs:

11 Immigration detention is typically shorter term than prison  
12 incarceration, with detained individuals transferred between  
13 facilities more frequently than those serving criminal sentences in  
14 prison. Laner Decl., ¶¶ 11, 12. For example, according to one report,  
15 sixty percent of detained immigrants are transferred at least once. In  
16 addition, people in immigration detention are often transferred to  
17 their court hearings on a daily basis or released on parole, bond, or  
18 when they win their cases. Laner Decl. ¶ 11 & Exh. 3. This  
19 substantial increase in ingress and egress, combined with the further  
20 increase in visits from family and the community, as well as any  
construction needed to make the Facility comply with federal  
standards for housing detainees, will result in increased vehicle miles  
traveled, traffic, noise, air pollution, greenhouse gas emissions, and  
other impacts that fall not only upon detainees, their families, and  
Facility employees, but also local residents. Laner Decl. ¶ 12. City  
residents will pay a heavy price for serving as unwilling hosts to  
CoreCivic’s unlawful detention operation, in the form of unstudied  
and unmitigated impacts to their wellbeing.

21 (Doc. 10 at 24.) CoreCivic’s evidence suggests that Plaintiffs’ assertions, which rely on a 2018  
22 third-party study, are based on false assumptions. Specifically, Warden Chestnut indicates that  
23 ICE detainee populations actually tend to generate less frequent court transports than prisoner  
24 populations; the Facility does not conduct daily court transports, but instead most court  
25 appearances occur onsite via video teleconference; and while the Facility does permit visits from  
26 family and friends, most detainees elect to communicate through video visits on the tablets  
27

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28 <sup>12</sup> As with the connection between the Coalition and detainees other than John Doe, the connection between the Coalition member organizations and any City residents is unclear on this record.

1 provided to them in the housing units. (Doc. 18-4, ¶¶ 77, 81, 87.) In addition, it is undisputed that  
2 the Facility is located on a remote parcel and is accessible by a paved road, suggesting that dust  
3 and noise impacts would be limited. (Doc. 18-5, ¶ 94.) Finally, the environmental impacts of  
4 operating a 2,304-bed prison/detention facility at the site appear to have been evaluated in 1998  
5 (Doc. 18-1 ¶¶ 5–12), with the resulting environmental document revealing that most impacts  
6 would occur during the construction phase (which is long-since complete), though some ongoing  
7 impacts from operations would persist. (*See, e.g.*, Doc. 18-1 at 28–29 (air quality impact  
8 analysis).) Environmental review was also performed prior to the City granting permission to  
9 expand the facility by an additional 512 beds. (Doc. 18-1 at 57.) In addition, environmental  
10 approvals were also obtained for the construction and operation of an additional 2,200 bed facility  
11 on the adjacent 35-acre parcel, which concluded that the proposed additional facility would not  
12 have significant impacts related to traffic, air quality, or noise either. (Doc. 18-1, ¶ 20.) On this  
13 record, the Court finds this alleged impact is also too speculative to justify emergency  
14 intervention by way of injunctive relief.

#### 15 IV. CONCLUSION AND ORDER

16 In sum, the Court finds that there has not been a sufficient showing of imminent  
17 irreparable harm to justify emergency treatment of this motion. Thus, the request for a temporary  
18 restraining order (Doc. 10) is **DENIED**. Based upon this ruling, the motion to file a supplemental  
19 response (Doc. 32) is **DENIED as MOOT**.

20 IT IS SO ORDERED.

21  
22 Dated: November 7, 2025

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UNITED STATES DISTRICT JUDGE