

1 preliminary injunction must show (1) that it is likely to succeed on the merits of its
2 claims, (2) that it is likely to suffer irreparable harm in the absence of a preliminary
3 injunction, (3) that the balance of equities tips in its favor and (4) that an injunction is in
4 the public interest. *Id.* at 20. The standard for issuing a temporary restraining order is
5 essentially the same as for issuing a preliminary injunction. See *Stuhlberg Int'l Sales*
6 *Co. v. John D. Brush & Co.*, 240 F.3d 832, 897 n.7 (9th Cir. 2001) (explaining that the
7 analysis for temporary restraining orders and preliminary injunctions is “substantially
8 identical”).

9 The Court finds, based on its prior analysis (*see generally* TRO), that the *Winter*
10 factors weigh in favor of the issuance of preliminary injunctive relief. Accordingly, the
11 Court will convert its previously issued temporary restraining order into a preliminary
12 injunction pending final adjudication on the merits.

13 The Court may issue injunctive relief “only if the movant gives security in an
14 amount the court considers proper to pay the costs and damages sustained by any
15 party found to have been wrongfully enjoined or restrained.” Fed. R. Civ. P 65(c).
16 District courts are “afforded wide discretion in setting the amount of the bond, and the
17 bond amount may be zero if there is no evidence the party will suffer damages from
18 an injunction.” *Connecticut Gen. Life, Ins. Co, v. New Images of Beverly Hills*, 321 F.3d
19 878, 882 (9th Cir. 2003) (internal citation omitted). Respondents have not requested
20 bond in this matter and the Court does not find that bond is necessary here. Thus, the
21 Court declines to require a bond.

22 IT IS HEREBY ORDERED that the Court’s Temporary Restraining Order (ECF No.
23 14) is ADOPTED as an Order for Preliminary Injunction.

24 IT IS FURTHER ORDERED that, until further Order of the Court:

- 25 1. Respondents are ordered to transfer Mr. Dumitru Martin back into
26 prerelease custody. Respondents are further restrained and enjoined
27 from removing Petitioner from prerelease custody based on his
28 immigration status.

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2. No bond shall be required under Federal Rule of Civil Procedure
65(c).

Dated: March 12, 2025

/s/ Daniel J. Calabretta

THE HONORABLE DANIEL J. CALABRETTA
UNITED STATES DISTRICT JUDGE