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5 UNITED STATES DISTRICT COURT  
6 WESTERN DISTRICT OF WASHINGTON  
7 AT TACOMA

8 ARTURO SEPULVEDA AYALA,

9 Plaintiff,

10 v.

11 KRISTI NOEM, Secretary of the  
12 Department of Homeland Security,  
13 KIKA SCOTT, Senior Official  
14 performing the duties of United States  
15 Citizenship and Immigration Services  
16 Director, DEPUTY DIRECTOR OF  
17 NEBRASKA SERVICE CENTER,  
18 NATHALIE ASHER, Immigration and  
19 Customs Enforcement Seattle Field  
20 Office Director, BRUCE SCOTT,  
21 Northwest ICE Processing Center  
22 Warden, UNITED STATES OF  
23 AMERICA,

Defendants.

CASE NO. 3:25-cv-5185-JNW

ORDER TO SHOW CAUSE

On March 5, 2025, Plaintiff Arturo Sepulveda Ayala filed a complaint for mandamus relief, seeking to compel the Defendants to adjudicate his U visa application. Dkt. No. 1. Sepulveda Ayala also moved for a temporary restraining order (TRO), requesting that the Court grant him a stay of removal “today, March 5,

1 2025[.]” Dkt. No. 2 at 9. In his TRO motion, Sepulveda Ayala does not state whether  
2 he seeks a TRO without notice to Defendants, but given that he requests relief  
3 today, he appears to ask the Court to rule on his motion without Defendants’  
4 response.

5 The Court may issue a TRO without notice to the adverse party only if the  
6 moving party shows that immediate and irreparable injury will occur before the  
7 adverse party can be heard *and* the movant’s attorney certifies “any efforts made to  
8 give notice and the reasons why it should not be required.” Fed. R. Civ. P. 65(b)(1).  
9 If these requirements are not met, the petitioner “must serve all motion papers on  
10 the opposing party, by electronic means if available, before or contemporaneously  
11 with the filing of the motion and include a certificate of service with the motion.”  
12 LCR 65(b)(1). “Motions for temporary restraining orders without notice to and an  
13 opportunity to be heard by the adverse party are disfavored and will rarely be  
14 granted.” *Id.*

15 After reviewing Sepulveda Ayala’s TRO motion, the Court finds that  
16 Sepulveda Ayala has not established that a TRO should issue without notice to  
17 Defendants. Accordingly, the Court ORDERS Sepulveda Ayala to show cause, in  
18 writing, by no later than 5:00 p.m. Pacific time, March 6, 2025, that immediate and  
19 irreparable injury will occur before Defendants may be heard in opposition, or serve  
20 Defendants with a copy of his motion papers.

Dated this 5th day of March, 2025.



Jamal N. Whitehead  
United States District Judge

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