

Bond Case Briefs

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CONSTITUTION - CALIFORNIA

County of Santa Clara v. Trump

United States District Court, N.D. California - April 25, 2017 - F.Supp.3d - 2017 WL 1459081

Counties brought actions against the President and others, challenging constitutionality of enforcement provision of executive order purporting to prevent “sanctuary jurisdictions” from receiving federal grants. Counties moved for preliminary injunctive relief.

The District Court held that:

- Counties demonstrated injury-in-fact traceable to enforcement provision, as required for standing;
- Counties established well-founded fear of enforcement, supporting finding that they had standing;
- Counties’ claims were prudentially ripe;
- Enforcement provision violated Constitution’s separation of powers principles;
- Enforcement provision violated Spending Clause;
- Enforcement provision violated Tenth Amendment;
- Enforcement provision was void for vagueness in violation of Fifth Amendment;
- Enforcement provision violated Fifth Amendment’s procedural due process requirements;
- Counties suffered irreparable harm, as required for preliminary injunction;
- Preliminary injunction would be nationwide; and
- Preliminary injunction would be not be issued personally against the President.