

Federal Court in New York Blocks Removals Under Alien Enemies Act

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NEW YORK — A federal court in New York has granted a preliminary injunction blocking removals under the Alien Enemies Act (AEA) for people within that court’s judicial district. The case is [*G.F.F. v. Trump*](#).

The court today ruled that the presidential proclamation exceeds the scope of the Alien Enemies Act because there is no “war,” “invasion,” or “predatory incursion” as required by the statute. It also held that the government’s protocols for providing notice to people about AEA designations are insufficient and violate due process.

The ruling stems from a lawsuit filed by the American Civil Liberties Union and New York Civil Liberties Union, in partnership with The Legal Aid Society, whose clients are plaintiffs in the litigation.

The following is reaction to today’s ruling:

“The court joined several others in correctly recognizing the president cannot simply declare that there’s been an invasion and then invoke a wartime authority during peacetime to send individuals to a Gulag-type prison in El Salvador without even giving them due process,” said **ACLU attorney Lee Gelernt, lead counsel who argued the case.**

“The court said it loud and clear: Trump cannot rewrite, ignore, or supersede our laws to justify his lawless deportation agenda. Today’s ruling rightly affirms our class members’ constitutional rights to due process and rebukes Trump’s reckless invocation of a 1700s-era wartime law to deport

people to a horrific, hellhole prison in El Salvador,” said **Donna Lieberman, executive director of the New York Civil Liberties Union.**

“Today's decision is a powerful affirmation of our clients’ fundamental right to due process,” said **Sayoni Maitra, supervising attorney in the Immigration Law Unit at The Legal Aid Society.** “The court rightly affirmed that the government cannot use an archaic wartime statute, in the absence of war, to sidestep due process and summarily deport asylum seekers who are lawfully seeking protection. We will continue to fight for a system that respects constitutional rights, human dignity, and justice for all.”

The ruling is online [here](#).

This press release is online [here](#).