

IMMIGRATION ALERT

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UPDATE: Trump's Immigration Executive Order, Refused by Ninth Circuit Court of Appeals

By **Arthi G. Siva**, Associate

Late yesterday, the Ninth Circuit Court of Appeals refused to reinstate President Donald Trump's immigration Executive Order (Order) which suspended the entry of aliens from seven countries into the United States for 90 days. This ruling focused only on the question of whether the Order should be stayed while the appellate courts consider its lawfulness. The Ninth Circuit judges unanimously refused to reinstate the Order.

Here are some of the arguments for and against the Order:

Arguments for the Order	Arguments against the Order
The President is well within his rights to exercise authority over the entry of aliens into the United States and the admission of refugees.	The intention of the Order was to discriminate against Muslims and this is unconstitutional and federal courts have the power to consider this issue.
The judicial system may not review a President's order if it deals with immigration and national security.	There is no evidence that individuals from the seven countries named in the Order are of an immediate threat to warrant the Order, since the government produced no instances of residents from those countries carrying out a terrorist attack in the United States.

So what happens from here? This decision will likely be appealed to the Supreme Court as President Trump alluded to on Twitter, but until then, the Order is not in effect.

Please contact one of the listed Roetzel attorneys should you have any questions regarding this issue and to stay up-to-date on immigration laws as they are quickly changing.

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