

Background: DACA at the Supreme Court

What's at issue: These cases are about the **Trump administration's illegal termination of the DACA program.** Courts across the country (New York, California, Washington, D.C., and Maryland) have all agreed that the Trump administration's termination of the DACA program was illegal.

What's NOT at issue: **DACA is legal and constitutional, but that's not what these cases are about.**

CASE BACKGROUND

Department of Homeland Security, et al., Petitioners v. Regents of the University of California, et al.

In *Regents*, the Ninth Circuit Court of Appeals affirmed a lower court's nationwide injunction against the Trump administration's unlawful termination of the DACA program. That injunction, initially entered in January 2017, requires the DHS to continue processing DACA renewal applications. It does not require the processing of new applications. The Trump administration initially sought to short-circuit the process not once, but twice. It first did so in January 2018 and later did so again, also unsuccessfully, in November 2018.

Key Moments:




January 9, 2018	U.S. District Court for the Northern District of California: Nationwide injunction entered
May 15, 2018	Ninth Circuit Court of Appeals: Oral argument (Watch)
November 8, 2018	Ninth Circuit Court of Appeals: Decided
June 28, 2019	U.S. Supreme Court: <i>Cert</i> granted

McAleenan v. Vidal

In *Vidal* (sometimes referred to as *Batalla* or *Batalla Vidal*), a federal court in New York also entered a nationwide injunction against the Trump administration's unlawful termination of the DACA program. It also requires the processing of renewal applications only. The Supreme Court granted *cert* before judgment in that case, meaning the Second Circuit Court of Appeals did not rule before the Supreme Court accepted the Trump administration's appeal in the case.

Key Moments:


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- February 2, 2018 U.S. District Court for the Eastern District of New York: Nationwide injunction entered
 - January 25, 2019 Second Circuit Court of Appeals: Oral argument ([Listen](#))
 - June 28, 2019 U.S. Supreme Court: *Cert* before judgment granted

Trump v. NAACP

In *NAACP*, a federal court in Washington, D.C. vacated the termination of DACA entirely, but later stayed the portion of its ruling requiring DHS to accept new applications. The Supreme Court granted *cert* before judgment in that case, meaning the D.C. Circuit Court of Appeals also did not rule before the Supreme Court accepted the case.

Unlike other courts, the D.C. court offered DHS an additional opportunity to re-explain its rationale for ending DACA, but the court reaffirmed its initial judgment.

Key Moments:

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- April 24, 2018 U.S. District Court for the District of Columbia: Order of *vacatur* initially entered
 - August 4, 2018 U.S. District Court for the District of Columbia: Order of *vacatur* reaffirmed
 - August 17, 2018 U.S. District Court for the District of Columbia: Stay limiting ruling to renewal applications only entered
 - February 22, 2019 D.C. Circuit Court of Appeals: Oral argument ([Listen](#))
 - June 28, 2019 U.S. Supreme Court: *Cert* before judgment granted

Full and complete timeline of all DACA termination litigation can be found [here](#).