

Cornell student Momodou Taal files new emergency motion for temporary restraining order against Trump administration

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On Thursday, March 20, Momodou Taal and co-plaintiffs Mu?koma Wa Ngu?gi? and Sriram Parasurama filed a new emergency motion for a temporary restraining order (TRO) against the Trump administration. The motion was filed in response to unidentified law enforcement stalking Taal's place of residence in Ithaca, New York, an act of intimidation against the filing of a March 15 lawsuit challenging two executive orders that suppress free speech rights.

Taal, a Cornell PhD student and British-Gambian citizen legally residing in the United States, has been targeted by the Trump administration for deportation due to his participation in pro-Palestinian protests at the university. His co-plaintiffs have also faced discipline from the university as part of the broader crackdown on free speech and student demonstrations against the ongoing genocide in Gaza.

The lawsuit, filed on March 15, challenges Executive Order 14161, "Protecting the United States from Foreign Terrorists and Other National Security and Public Safety Threats," and Executive Order 14188, "Additional Measures to Combat Anti-Semitism." Both executive orders attempt to suppress any speech critical of the Trump administration, Israel and the ongoing genocide in Gaza.

The motion states that since the filing of the initial lawsuit,

new evidence has emerged that Defendants are actively taking steps to detain Mr. Taal and initiate immigration proceedings against him, which poses a significant risk of depriving this Court of jurisdiction to address Mr. Taal's constitutional claims. The imminent threat of enforcement actions, if not immediately restrained, will not only result in irreparable harm to Mr. Taal's constitutional rights but also undermine the efficacy of this litigation by prematurely removing him from the jurisdiction of this Court.

Mr. Taal is now in imminent danger of detention or deportation, causing irreparable harm that cannot be undone. The emotional distress, combined with the threat of enforcement action, constitutes an irreparable injury to his rights, and therefore, Plaintiff respectfully requests the issuance of a TRO to prevent further harm and preserve his due process rights until a full hearing can be held.

In spite of the intimidation by law enforcement, later in the afternoon several hundred students and supporters attended a demonstration called just hours earlier in a strong show of support.

The demonstration, held on the campus of Cornell University, was called by the Coalition for Mutual Liberation. Speakers included his attorneys Eric Lee and Chris Godshall-Bennett, Cornell AAUP President Risa Lieberwitz, and Sandra Babcock of Cornell Law School.

Lee, immigration litigator and co-counsel for Taal, began addressing the demonstration by reading a statement from Taal:

I wish I could be with you all in person but the situation has got to the point where it is no longer safe. However, your solidarity is a source of my strength.

It is nothing short of tragic that expressing this basic wish [for an end to the genocide in Gaza] has become an act of treason according to the president; that affirming the simple humanity of the Palestinian people is mistranslated for the calling of the destruction of another. I encourage people to stand by their conscience, to keep speaking out, but more importantly to act. Remember: the point is to change the world. Free Palestine!

After finishing Taal's remarks, Lee told the crowd of demonstrators that Mahmoud Khalil, a Columbia student who was illegally detained and arrested for his involvement in anti-genocide protests and is currently being held in Louisiana, had been in touch earlier that day and also had a message to convey to the supporters.

Lee read from Khalil's message:

What I'm going through is nothing compared to what the people of Palestine have been going through. This is just the beginning in the attack on democracy. If they can go after me, they can go after you—citizens included.

To the American people: it is time to stand up to defend our basic right to free speech before it's too late. This is not a sign of strength on the part of the president, it is a sign of weakness and a testament to their fear of the opposition that exists in this country to their policies.

He concluded Khalil's remarks to applause.

Lee then invited the demonstrators to attend the hearing, scheduled to take place on Tuesday, March 25, at 2:00 p.m. in Syracuse, New York. The first hearing on the lawsuit was scheduled to take place on March 19 before US District Judge Elizabeth C. Coombe but was rescheduled until next week. Coombe ordered both parties to present their written arguments prior to Tuesday's hearing.

Lee explained the issues at stake in the lawsuit:

Our lawsuit is a challenge to the constitutionality of the two executive orders that Trump claims to have made law through executive fiat ... which legalize all criticism of the United States government, its institutions and its culture by non-citizens, including those living here lawfully; and the second executive order which attacks all of you—citizens as well—by opening up everybody who criticizes the state of Israel to criminal prosecution.

There's nobody but you who will stand up to stop this. The Democratic Party has paved the way for these attacks on democratic rights. Not only are they doing nothing, but they are pledging to work with Trump. They have agreed to the budget, they've dropped opposition to it, giving Trump his Enabling Act. We will be using every ounce of our power in the courts to make the best legal arguments that we can, but what's really going to resolve the situation

is your actions. The purpose of these acts is to intimidate you and to make an example out of people like Momodou Taal and Mahmoud Khalil, but it's incumbent on you to stand up and start fighting back against this.

Godshall-Bennett, executive legal director for the American Arab Anti-Discrimination Committee, also addressed the demonstration:

I came out from DC to support Momodou and our plaintiffs and Eric in this historic litigation defending the very basic protections of the First Amendment that apply to all of us, no matter their citizenship, who are in the United States.

I'm compelled to mention that I am Jewish. I've devoted my life, my career, to this work in solidarity with Palestine and in defense of Arab Americans and their allies. It's not lost on me that the excuse, the pretext being used to intimidate and to incarcerate people like Momodou and Mahmoud, is my safety; and it's a notion I reject fundamentally. I'm sure there are other Jews in this crowd who agree. It's incumbent on us to continue to stand up and say: not in our name. I'm very proud to be with you as the stakes could not be higher.

Godshall-Bennett then described how an unidentified law enforcement agency staked out Taal's residence. "This is a naked attempt at intimidation," he continued. "It is a complete and utter aberration from what you'd expect to be the norm when someone asserts their rights in federal court."

Under Biden, Taal was threatened with suspension and revocation of his F-1 student visa last year for participating in peaceful protests against the genocide.



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