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**Office of The Attorney General**

- Gurbir S. Grewal, Attorney General

## Federal Judge in Texas Denies Motion to End DACA Protections

### New Jersey Intervened in Lawsuit to Defend DACA After Federal Government Refused to Do So

Attorney General Gurbir S. Grewal announced today that a federal court in Brownsville, Texas has denied a motion by eight states and two governors in a Texas-led lawsuit that sought a preliminary injunction to end Deferred Action for Childhood Arrivals (DACA). The court's decision comes two months after the court granted New Jersey's motion to intervene as a defendant in the lawsuit, which occurred shortly after the federal government announced that it would no longer seek to defend DACA.

"This is an important victory for Dreamers in New Jersey and across the country," said Attorney General Grewal. "The State of Texas and its allies were seeking to immediately strip Dreamers of their protections and expose them to risk of deportation. Today's decision keeps DACA in place and heads off what would have been a catastrophic outcome. I am incredibly proud of New Jersey's legal team for this victory and we will continue doing everything we can to push back against those who seek to remove Dreamers from this country."

The Trump Administration announced its intention to end DACA in 2017, but has been enjoined by several courts from doing so. Recently, Texas, seven other states, and two governors filed a lawsuit in federal court in the Southern District of Texas arguing that DACA is illegal because it exceeded the Executive Branch's authority. The suit sought an injunction barring Defendants from issuing or renewing DACA permits in the future. On May 21, 2018, New Jersey moved to intervene in the lawsuit, arguing that the federal government, which was named as a defendant in the suit, was unable to adequately defend the interests of those who would be harmed if DACA were terminated. The court [granted New Jersey's motion](#) on June 25, 2018. Attorney General Grewal [traveled to Texas](#) on August 8, 2018 to attend oral arguments on the preliminary injunction motion.

In today's court order denying Texas's preliminary injunction motion, Judge Andrew Hanen of the U.S. District Court for the Southern District of Texas wrote that Texas had failed to show irreparable harm – a necessary element of obtaining an injunction – because the state had waited almost six years before bringing the lawsuit. The court also ruled that the balance of the equities and public interest factors weighed against issuing an injunction.

New Jersey is home to an estimated 53,000 DACA-eligible residents and a total of 17,400 current, active DACA grantees.

According to a 2017 survey, approximately 15,900 DACA grantees in New Jersey are employed, more than 900 own their own businesses, 7,800 are in school, 5,600 are pursuing a bachelor's, master's or professional degree, and 12,650 have an American citizen sibling, spouse or child.

According to the State's brief in its motion to intervene, one recent study placed the spending power of DACA-eligible individuals in New Jersey at an estimated \$679.7 million. If DACA were terminated, the brief contended, New Jersey would lose an estimated \$19 million per year in tax revenues.

The case is being led by Assistant Attorney General Rachel Wainer Apter, who serves as Counsel to the Attorney General.

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