

U.S. Appeals Court Maintains Suspension of Trump's Muslim Ban



San Francisco, February 10 (RHC)-- A San Francisco-based appeals court has rejected a request from the Department of Justice to restore U.S. President Donald Trump's executive order banning citizens of seven Muslim countries from entering the United States, setting up a potential showdown in the Supreme Court.

The U.S. Court of Appeals for the Ninth Circuit ruled on Thursday that a nationwide restraining order against the president's travel ban may continue while a federal judge considers a lawsuit over the immigration policy.

"We hold that the government has not shown a likelihood of success on the merits of its appeal, nor has it shown that failure to enter a stay would cause irreparable injury, and we therefore deny its emergency motion for a stay," the Ninth Circuit Court of Appeals in San Francisco ruled.

Trump had said the Justice Department would succeed in appealing District Court Judge James Robart's order which lifted his administration's travel ban last week. Robart's decision came after Washington state Attorney General Bob Ferguson filed a lawsuit to invalidate key provisions of Trump's executive

order.

Robart questioned the Trump administration's use of the September 11, 2001 terror attacks on the US as a justification for the travel ban. Trump signed an executive order on January 27 that imposed a temporary travel ban on citizens from Iran, Iraq, Libya, Somalia, Sudan, Syria and Yemen and placed an indefinite ban on Syrian refugees. The move also suspended admission of all refugees for 120 days.

"Rather than present evidence to explain the need for the Executive Order, the Government has taken the position that we must not review its decision at all. We disagree," the three-judge panel hearing the case wrote on Thursday.

"In short, although courts owe considerable deference to the President's policy determinations with respect to immigration and national security, it is beyond question that the federal judiciary retains the authority to adjudicate constitutional challenges to executive action," they added.

Minutes after the ruling was made public, an apparently angry Trump tweeted his reaction, in capital letters: "SEE YOU IN COURT, THE SECURITY OF OUR NATION IS AT STAKE!"

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