

## Winston Rebuffs Appeal & Will Pursue Damages for Immigrants Unlawfully Held by Suffolk County

JULY 24, 2025

In January, a district judge issued a summary judgment ruling that the County violated New York law and the Fourth Amendment protection against unreasonable search and seizures when it extended the detention of individuals in response to ICE detainer requests. ([Read more here.](#))

In response to the summary judgment ruling, the County appealed and secured a stay, asserting sovereign immunity for the first time in eight years of litigating this matter. Winston filed a motion to dismiss, and New York associate Michelle Tuma argued the motion before the U.S. Second Circuit Court of Appeals. Winston asserted not only had the County failed to raise its sovereign immunity defense prior to its appeal, but its argument for immunity was meritless.

The Second Circuit agreed and sent the matter back to the district court for trial. The trial date has been set for November 3.

Congratulations to the Winston team, which includes **Aldo Badini, Jeremy Chu, Arthur Schoen, Sophie Borne, Hector Correa Gaviria, Sydney Hartman, Andrew King, Joshua Roth, Corinne Kyritsopoulos,** and **Michelle Tuma.**

[Learn more about Winston's commitment to excellence in serving the public interest here.](#)

In re: Case No. 2:17-cv-04267 (June 16, 2025)

1 Min Read

### Related Locations

New York

### Related Topics

## Related Professionals

---



Aldo A. Badini



Arthur B. Schoen



Sydney Hartman



Andrew King



Michelle D. Tuma