

Trump-Era Actions Found Unconstitutional (or Likely Unconstitutional) — Cite-Ready One-Pager

Each bullet lists the issue, a short quote, source link, and a brief status (e.g., preliminary injunction, mooted).

- **Knight First Amendment Institute v. Trump (2d Cir. 2019)**

First Amendment - Viewpoint discrimination via blocking critics on @realDonaldTrump

"The First Amendment does not permit a public official ... to exclude persons ... because they expressed views with which the official disagrees."

Status: Held unconstitutional by 2d Cir. (2019); later vacated as moot after change in administration (no binding precedent).

<https://james.grimmelmann.net/files/edited-cases/knight-v-trump-2d-cir-2019.pdf>

- **Sierra Club v. Trump (9th Cir. 2020)**

Appropriations Clause / Separation of powers - diverting Pentagon funds for the border wall

"The transfers were unlawful." (holding invalid reprogramming used to fund wall construction).

Status: 9th Cir. affirmed injunction (2020); later mooted after policy change and litigation ended without Supreme Court merits ruling.

<https://cdn.ca9.uscourts.gov/datastore/opinions/2020/06/26/19-16102.pdf>

- **City & County of San Francisco v. Trump (9th Cir. 2018)**

Separation of powers / Spending Clause - sanctuary-city defunding via EO 13768

"The Executive Branch may not refuse to disperse the federal grants in question without congressional authorization."

Status: Permanent injunctive relief/summary judgment largely affirmed (2018); policy later rescinded (practical mootness).

<https://cdn.ca9.uscourts.gov/datastore/opinions/2018/08/01/17-17478.pdf>

- **U.S. WeChat Users Alliance v. Trump (N.D. Cal. 2020) (prelim. inj.)**

First Amendment - ban on WeChat app

"Plaintiffs have shown serious questions ... on the merits of the First Amendment claim."

Status: Preliminary injunction entered (2020); case later dismissed as moot after policy rescission.

<https://law.justia.com/cases/federal/district-courts/california/candce/3:2020cv05910/364733/134/>

- **Index Newspapers LLC v. U.S. Marshals Service (9th Cir. 2020)**

First Amendment - protections for journalists covering Portland protests

"The Federal Defendants have not shown a likelihood of success on the merits." (injunction protecting journalists left in place).

Status: Preliminary injunction maintained on appeal (Oct. 9, 2020).

<https://cdn.ca9.uscourts.gov/datastore/opinions/2020/10/09/20-35739.pdf>

- **Ms. L. v. U.S. Immigration & Customs Enforcement (S.D. Cal. 2018) (classwide prelim. inj.)**

Fifth Amendment - due process/family integrity (family separation)

Class-wide preliminary injunction requiring reunification; court found likely due-process violations.

Status: Class-wide preliminary injunction entered (2018); ongoing compliance/monitoring; not a final merits judgment.

<https://law.justia.com/cases/federal/district-courts/california/casdce/3:2018cv00428/564097/386/>

- **"Barbara" v. Trump (D.N.H. 2025) (classwide prelim. inj.)**

Fourteenth Amendment - Citizenship Clause (birthright-citizenship EO 14160)

Court enjoined "enforcing an Order that is likely unconstitutional."

Status: Preliminary injunction(s) issued in 2025; merits not finally decided as of Oct 2, 2025.

<https://www.constangy.com/assets/htmldocuments/Barbara%20v.%20Trump%201.pdf>

Last updated: October 2, 2025