

1 MYRON WARD

2 [Your Mailing Address]

3 [City, State, ZIP Code]

4 661-371-0934

5 Myron Ward
6 Plaintiff in Pro Per

7 **UNITED STATES DISTRICT COURT**
8 **FOR THE DISTRICT OF COLUMBIA**
9

10 Myron Ward,
11 Plaintiff/Petitioner,
12 v.

13 Elon Musk, in his official capacity as Director
14 of the Department of Government Efficiency
15 (DOGE),
16 United States Department of the Treasury,
17 Department of Government Efficiency
18 (DOGE), Defendants,
19 Defendant/Respondent
20

Case No.:

NOTICE OF MOTION AND MOTION FOR
PRELIMINARY INJUNCTION

Date: [Leave Blank for Court Assignment]
Time: [Leave Blank for Court Assignment]
Courtroom: [Leave Blank for Court Assignment]
Judge: [Leave Blank for Court Assignment]
Date Action Filed: [Leave Blank for Court
Assignment]
Trial Date: Not Yet Set

21
22 To Defendant(s) ELON MUSK, DOGE (DEPARTMENT OF GOVERNMENT EFFICIENCY),
23 UNITED STATES TREASURY, and to their attorney(s) of record:

24 **NOTICE IS HEREBY GIVEN** that on [Leave Blank for Hearing Date], at [Leave Blank for
25 Hearing Time], or as soon thereafter as the matter may be heard, in the
26 United States District Court for the District of Columbia,
27
28

1 located at E. Barrett Prettyman U.S. Courthouse,
2 333 Constitution Avenue NW,
3 Washington, D.C. 20001,

4 MYRON WARD will, and hereby does, move for the issuance of a preliminary injunction
5 enjoining Defendant(s), their employees, agents, and persons acting with him/her/it, or on
6 his/her/its behalf, from:
7

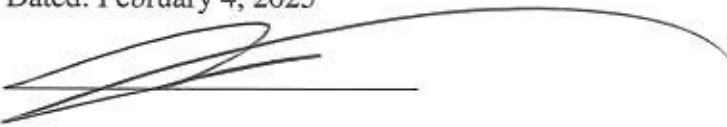
8 1 Using or manipulating the Treasury payment system in a manner that disrupts or jeopardizes
9 the delivery of federal unemployment benefits.

10 2 Taking any action that causes harm to federal payment systems, including those used to process
11 unemployment benefits in the United States.
12

13 This motion is made pursuant to Rule 65 of the Federal Rules of Civil Procedure, which governs
14 the issuance of preliminary injunctions in federal court, on the grounds that the Defendant(s)'
15 actions are causing immediate and irreparable harm to the Plaintiff and other Americans who
16 rely on unemployment benefits for their livelihood.
17

18 This motion is based upon the memorandum in support, the declaration(s) of MYRON WARD
19 filed herewith, on the records and file herein, and on such evidence as may be presented at the
20 hearing of the motion.
21

22 Dated: February 4, 2025

23 
24 Signature

25 MYRON WARD, In Pro Per
26
27
28

MEMORANDUM OF POINTS AND AUTHORITIES

INTRODUCTION

Plaintiff MYRON WARD brings this motion for a preliminary injunction to prevent Defendant ELON MUSK, DOGE (Department of Government Efficiency), and UNITED STATES TREASURY from engaging in actions that could disrupt the federal unemployment benefit system in the United States. This is a matter of significant public interest, as the ability to rely on the federal government's unemployment benefit system is vital to individuals across the nation, including the Plaintiff. The actions of the Defendant(s) threaten immediate, irreparable harm to the Plaintiff, his livelihood, and the broader public.

FACTUAL BACKGROUND

Plaintiff MYRON WARD is a United States citizen who has been receiving unemployment benefits after losing his job. The United States Treasury is responsible for administering these benefits through a secure financial system.

JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction pursuant to **28 U.S.C. § 1331**, as the claims arise under the United States Constitution and federal law.
 2. Venue is proper in this Court under **28 U.S.C. § 1391(e)(1)**, as the Defendants are agencies and officials of the United States government, and a substantial part of the events giving rise to this claim occurred in Washington, D.C.
- Defendant ELON MUSK, as Director of the Department of Government Efficiency (DOGE), has direct control over DOGE's operations and policies, which influence federal financial systems,

1 including those used to distribute unemployment benefits. This includes systems that intersect
2 with or disrupt the federal payment systems, such as unemployment benefits.

3 Defendant DOGE (Department of Government Efficiency) is a government entity responsible for
4 overseeing and regulating financial systems, including those used to process unemployment
5 benefits.
6

7 Defendant UNITED STATES TREASURY is responsible for ensuring that federal payments,
8 including unemployment benefits, are administered and distributed securely to the citizens of the
9 United States.
10

11 The actions and manipulation by Defendant(s) have the capacity to disrupt the proper
12 functioning of the Treasury's payment systems, which will directly affect MYRON WARD and
13 others who depend on timely unemployment benefits.
14

15 16 **LEGAL STANDARD**

17 Under Rule 65 of the Federal Rules of Civil Procedure, a preliminary injunction may be issued if
18 the Plaintiff demonstrates:
19

- 20 1 **Irreparable harm** will result if the injunction is not granted;
- 21 2 The Plaintiff has a **reasonable likelihood of success on the merits** of the case;
- 22 3 The **balance of hardships** favors the Plaintiff;
- 23 4 The issuance of the injunction is **in the public interest**.
24
25
26
27
28

ARGUMENT

I. PLAINTIFF HAS DEMONSTRATED IRREPARABLE HARM

The Plaintiff and others like him rely on unemployment benefits for their survival. If the actions of the Defendant(s) continue without proper government oversight as was exhibited with seizing of funds for USAID, it will lead to a loss of unemployment benefits or significant delays in receiving them. Such disruption cannot be remedied with money damages and is therefore irreparable.

II. PLAINTIFF HAS A REASONABLE LIKELIHOOD OF SUCCESS ON THE MERITS

The Plaintiff has a reasonable likelihood of success on the merits, which are based on several constitutional violations, as outlined below:

A. Violation of the Nondelegation Doctrine

The Nondelegation Doctrine prohibits the delegation of legislative powers to executive agencies without clear, intelligible guidance. *Gundy v. United States*, 139 S. Ct. 2116 (2019), emphasizes the necessity of a clear guiding principle when delegating legislative authority to the executive branch. This doctrine prohibits Congress from transferring its core responsibilities to an agency or an individual without meaningful constraints. Here, DOGE's control over the Treasury payment system constitutes an unconstitutional delegation of power as no intelligible principle has been provided by Congress to guide such actions.

1 **B. Violation of the Separation of Powers**

2 The actions of DOGE and Elon Musk violate the constitutional separation of powers,
3 which maintains the independence of the legislative, executive, and judicial branches of
4 government. In *Seila Law LLC v. Consumer Financial Protection Bureau*, 140 S. Ct.
5 2183 (2020), the Court held that the structure of the CFPB violated the separation of
6 powers by granting excessive independence to a single director. Similarly, DOGE’s
7 consolidation of authority undermines the balance of power between branches. *Loper*
8 *Bright Enterprises v. Raimondo*, 142 S. Ct. 1072 (2024), reinforced that executive
9 agencies must not overstep their bounds and must operate within the authority granted by
10 Congress.
11
12

13 **C. Violation of the Due Process Clause**

14 The Plaintiff asserts that the Defendants’ actions of controlling the Treasury Payment
15 System without congressional approval or the American Public being consulted violate
16 the Plaintiff’s right to due process under the Fifth Amendment. The Plaintiff has been
17 deprived of constitutional rights, timely and efficient payment of benefits, violating
18 fundamental procedural due process protections.
19
20

21 **D. Violation of the Administrative Procedure Act (APA)**

22 Defendants’ actions violate the APA, which mandates that federal agencies adhere to
23 procedural rules when implementing policies that affect citizens’ rights. Defendants failed
24 to provide proper notice or opportunity for public comment regarding changes to the
25
26
27
28

1 Treasury payment system, as required under **5 U.S.C. § 553(b)-(c)** of the
2 Administrative Procedure Act, violating federal procedural requirements.

3 **II. THE BALANCE OF HARDSHIPS FAVORS THE PLAINTIFF**

4 The harm to the Plaintiff and others who rely on federal unemployment benefits
5 outweighs any potential hardship to the Defendants from the issuance of an injunction.
6 The Defendants' financial interests in DOGE are far less important than the harm caused
7 to the public through the disruption of unemployment benefits.
8


9
10 **III. THE ISSUANCE OF THE INJUNCTION IS IN THE PUBLIC INTEREST**

11 Protecting the ability of the federal government to issue timely and secure unemployment
12 payments is unquestionably in the public interest. The Plaintiff and others like him
13 depend on these benefits to meet basic needs such as housing, food, and healthcare.
14

15 **CONCLUSION**

16 For the foregoing reasons, Plaintiff MYRON WARD respectfully requests that the Court
17 issue a preliminary injunction enjoining Defendant ELON MUSK, DOGE (Department
18 of Government Efficiency), and UNITED STATES TREASURY from using or
19 manipulating the Treasury payment system in a way that disrupts the federal
20 unemployment benefit system. Plaintiff further requests that the Court provide any
21 further relief it deems just and proper.
22
23

24 Dated: February 4, 2025

25 Signature: 

26 MYRON WARD, In Pro Per
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28


DECLARATION OF MYRON WARD

I, MYRON WARD, declare as follows:

- 1 I am the Plaintiff in the above-captioned matter.
- 2 I am over the age of 18 and competent to testify.
- 3 I make this declaration in support of my Motion for Preliminary Injunction.
- 4 I rely on unemployment benefits administered by the United States Treasury.
- 5 The actions of DOGE, as controlled by Defendant ELON MUSK, pose a direct threat to the stability and security of the Treasury's unemployment payment system.
- 6 If this motion is not granted, I will suffer irreparable harm,

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Dated: February 4, 2025

Signature 

Your Name, In Pro

Myron WARD, In Pro