



W.M.M. v. Trump Court of Appeals for the Fifth Circuit Ruling

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Main Takeaways

- President Trump invoked the Alien Enemies Act (AEA) in 2025 against Tren de Aragua (TdA), a Venezuelan gang labeled as a foreign terrorist group.
- A court case, W.M.M. v. Trump, began after two men were detained for suspected TdA ties and grew into a class action challenging the president's use of the AEA.
- Lawyers for the detainees argued that TdA is not a foreign government and that there was no war, invasion or predatory incursion to justify using the act.
- The administration claimed the president has the authority to act independently to protect national security and respond to organized threats.
- The Supreme Court's injunction paused deportations, and the case was sent back to lower courts after judges questioned whether the AEA applies in this situation.

About the Author

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Historical Use of the AEA and the TdA Threat

The [Alien Enemies Act](#), signed into law in 1798 as part of the [Alien and Sedition Acts](#), remains in effect today as the only one of those acts still active. Prior to 2025, it had been invoked three times during declared wars: the War of 1812, World War I, and World War II against defined national enemies. Meanwhile, Tren de Aragua originated as a Venezuelan prison gang and has grown into a powerful transnational criminal organization, now designated a [Foreign Terrorist Organization](#) by the United States following increased attention due to an incident where armed men were caught on camera repeatedly breaking into an apartment building in Aurora, Colorado.

Presidential Invocation of the Alien Enemies Act

On March 15, 2025, [President Trump invoked the Alien Enemies Act](#) against Tren de Aragua (TdA), describing the group as agents of the current president of Venezuela. This contrasted with Trump's predecessor, who granted Temporary Protected Status to Venezuelans in response to their country's turmoil and the resulting mass exodus, with over 8 million Venezuelan immigrants having entered the United States.

Legal Challenge and Court Proceedings

The case of [W.M.M. v. Trump](#) (originally A.A.R.P. v. Trump) began as a habeas petition on behalf of two men suspected of Tren de Aragua (TdA) affiliation, primarily due to their tattoos and use of certain emojis. It has since evolved into a class action challenging President Trump's use of the Alien Enemies Act (AEA). After an injunction from the Supreme Court of the United States (SCOTUS), the case was sent back to the Court of Appeals and is now progressing through the lower courts.

Arguments from Both Sides and Judicial Opinions

The majority opinion questioned the appropriateness of applying the Alien Enemies Act (AEA) in the current context, suggesting that the conditions of war, invasion, or incursion are unlikely to be met. The dissent focused on judicial restraint regarding presidential authority. The resulting injunction halts further deportations pending review by the lower courts.