

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

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MARK KELLY, )  
Plaintiff, )  
v. ) Civil Case No. 26-81 (RJL)  
PETE HEGSETH, *et al.*, )  
Defendants. )  
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)

  
**ORDER**  
February 12 2026 [Dkt. #2]

For the reasons set forth in the accompanying Memorandum Opinion, it is hereby  
**ORDERED** that Plaintiff Mark Kelly's [Dkt. #2] Motion for Preliminary Injunction  
and Stay under 5 U.S.C. § 705 is **GRANTED** in part; and it is further  
**ORDERED** that Defendants and their agents are preliminarily **ENJOINED** from  
implementing, enforcing, or otherwise giving effect to the Secretarial Letter of Censure  
dated January 5, 2026 and addressed to Plaintiff ("the Letter"); and it is further  
**ORDERED** that Defendants and their agents are preliminarily **ENJOINED** from  
implementing, enforcing, or otherwise giving effect to the Department of Navy's  
Notification of Retirement Grade Determination Proceedings dated January 5, 2026 and  
addressed to Plaintiff ("the Notification"); and it is further

**ORDERED** that Defendants; Defendants' officers, agents, servants, employees, and attorneys; and all other persons in active concert with Defendants are preliminarily **ENJOINED** from:

- (1) taking any other action in reliance on the findings, determinations, or threats of additional criminal or administrative action contained in the Letter;
- (2) taking any steps to place the Letter in Plaintiff's file;
- (3) relying on the Letter, or on the findings or determinations made therein, in any military, agency, or criminal proceeding;
- (4) taking any steps to revisit Plaintiff's grade determination; and
- (5) adjusting Plaintiff's grade pursuant to the Letter or Notification; and it is further

**ORDERED** that the parties shall file a joint status report within 30 days proposing further proceedings in this case.

**SO ORDERED.**



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RICHARD J. LEON  
United States District Judge