


**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF CALIFORNIA**

JAVIER ISAIS CHAVEZ,

Alien # 

*Petitioner,*

v.

PAM BONDI, in her official capacity  
as Attorney General

KRISTI NOEM, in her official capacity  
as Secretary of the Department of  
Homeland Security,

RON MURRAY, in his official  
capacity as Warden of Mesa Verde  
Detention Center,

POLLY KAISER, in her official  
capacity as ICE Field Office Director,

*Respondents.*

Case No.

**PETITIONER'S MOTION FOR A  
TEMPORARY RESTRAINING  
ORDER**

Javier Isais Chavez (Petitioner), by and through his undersigned counsel, hereby files this motion for a Temporary Restraining Order (TRO) to enjoin Respondents from detaining him unlawfully. Petitioner has been in the custody of Immigration and Customs Enforcement (ICE) since April 27, 2023, for approximately one year and ten months. He had one bond hearing on February 15, 2024. He has never been afforded a bond hearing. His prolonged detention amounts

to a violation of his Fifth and Eighth Amendment rights.

Undersigned counsel has reached out to AUSA Michele Beckwith about this motion. Attorney Beckwith is aware of Petitioner's intention to file the instant motion, but has not indicated the Respondents' position on the matter.

1. Pursuant to Fed. R. Civ. P. 65, Petitioner seeks a Temporary Restraining Order that requires Respondents to immediately release him from custody.
2. Petitioner requests a Temporary Restraining Order requiring Respondents to provide him with a bond hearing before a neutral decisionmaker.
3. Petitioner also requests the Court schedule oral argument as soon as the Court's calendar allows.

WHEREFORE, for the reasons set forth in the accompanying brief, Petitioner respectfully requests this Court to grant the Temporary Restraining Order and set the case for further briefing.

**RESPECTFULLY SUBMITTED this 13th day of February, 2025**

**/s/ Mackenzie Mackins**

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