

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA

DOĞUKAN GÜNAYDIN,

*Petitioner,*

v.

DONALD J. TRUMP, in his official capacity as President of the United States; JOEL BROTT, in his official capacity as the Sherburne County Sheriff; PETER BERG, in his official capacity as the St. Paul Field Office Director for U.S. Immigration and Customs Enforcement; JAMIE HOLT, in her official capacity as Homeland Security Investigations St. Paul Special Agent in Charge, U.S. Immigration and Customs Enforcement; TODD LYONS, in his official capacity as Acting Director, U.S. Immigration and Customs Enforcement; KRISTI NOEM, in her official capacity as Secretary of the United States Department of Homeland Security; and MARCO RUBIO, in his official capacity as Secretary of State,

*Respondents.*

Case No. 0:25-cv-01151-JMB-DLM

**PETITIONER'S EMERGENCY  
MOTION FOR TEMPORARY  
RESTRAINING ORDER UNDER  
FRCP 65(b) AND  
PRELIMINARY INJUNCTION  
UNDER FRCP 65(a)**

**EXPEDITED HANDLING  
REQUESTED**

**PETITIONER'S EMERGENCY MOTION FOR  
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION  
WITH EXPEDITED HANDLING**

Mr. Doğukan Günaydın (“Petitioner”), pursuant to 28 U.S.C. § 2241, the Fifth Amendment of the United States Constitution, 8 U.S.C. §§ 1101 *et seq.* (“the INA”), 5 U.S.C. §§ 701 *et. seq.* (the “APA”), and Rule 65(a) and (b) of the Federal Rules of Civil Procedure, moves the Court for entry of a Temporary Restraining Order and Preliminary Injunction enjoining Respondents, and all persons acting on Respondents’ behalf, from

continuing to infringe on Petitioner's constitutional rights by continuing to detain Petitioner during the pendency of his underlying Amended Petition for Writ of Habeas Corpus proceedings, or taking any other related enforcement action against Petitioner, including transferring Petitioner away from the jurisdiction of this District pending these proceedings, and removing Plaintiff from the United States pending these proceedings. The moving party does not intend at this time to present witness testimony at an evidentiary hearing.

Petitioner, through this temporary restraining order, also seeks prohibitive injunctive relief in that Respondents' termination of his SEVIS status be declared unlawful and without legal force to deprive Petitioner of his valid student nonimmigrant status during these proceedings. Petitioner further seeks to maintain the status quo whereby he continues to be considered in valid F-1 student status, so that he may continue to attend school pursuant to his valid F-1 student status (and underlying valid I-20) which existed immediately prior to Respondents' unlawful actions, and also that he may seek the concomitant benefits of that valid status such as the legal eligibility to apply for Optional Practical Training, Curricular Practical Training, or a change of status to another non-immigrant visa status, while this litigation remains pending.

The reasons in support of this Motion are set forth in the accompanying Memorandum of Points and Authorities. This Motion is based on the previously-filed Amended Petition for Writ of Habeas Corpus (ECF No. 18), as well as the declarations of Petitioner and undersigned counsel. As set forth in the Points and Authorities in support of this Motion, Petitioner raises that he warrants an emergency temporary restraining order

due to his weighty liberty interests under the Due Process Clause of the Fifth Amendment in remedying his unlawful detention and the unlawful revocation of his SEVIS status.

WHEREFORE, Petitioner prays that this Court grant his request for a temporary restraining order enjoining Respondents from continuing to detain Petitioner pending these proceedings, transferring Petitioner away from the jurisdiction of this District pending these proceedings, and removing Petitioner from the United States pending these proceedings, as well as an order that Respondents' revocation of Petitioner's SEVIS account be declared unlawful and without legal force, which is necessary to maintain the status quo in his case such that he may continue to attend school and work pursuant to his F-1 student status while his Amended Petition remains pending. The only mechanism to ensure that Petitioner does not continue to be unlawfully detained, transferred, or removed in further violation of his due process rights is an ex-parte temporary restraining order from this Court.

Respectfully submitted,

Dated: April 25, 2025

/s/ Hannah Brown  
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