

**UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KLEIBER ALEXANDER ARIAS  
GUDINO,

*Petitioner,*

v.

CRAIG LOWE, *in his official capacity as*  
Warden, Pike County Correctional  
Facility; BRIAN MCSHANE, *in his*  
*official capacity as* Acting Field Office  
Director, Philadelphia Field Office,  
United States Immigration and Customs  
Enforcement; TODD M. LYONS, *in his*  
*official capacity as* Acting Director,  
United States Immigration and Customs  
Enforcement; KRISTI NOEM, *in her*  
*official capacity as* Secretary of  
Homeland Security; PAMELA BONDI,  
*in her official capacity as* United States  
Attorney General,

*Respondents.*

**PETITIONER'S MOTION  
FOR A TEMPORARY  
RESTRAINING ORDER AND  
PRELIMINARY INJUNCTION**

**No. 1:25-cv-571 (KM/DFB)**

**PETITIONER'S MOTION FOR TEMPORARY RESTRAINING ORDER  
AND PRELIMINARY INJUNCTION**

Petitioner Mr. Kleiber Alexander Arias Gudino moves the Court pursuant to Fed. R. Civ. Pro. 65 to issue a temporary restraining order and preliminary injunction ordering Respondents to immediately release Petitioner from their custody and to

furnish his transportation from Pike County Correctional Facility to New York City and to enjoin Respondents from taking Petitioner into civil immigration custody at any time that he has Temporary Protected Status (“TPS”).

In support of the motion, Petitioner files the attached Memorandum of Law and the exhibits thereto.

Counsel for Petitioner provided notice of Petitioner’s intent to file this motion to counsel for Respondents at the United States Attorney’s Office for the Middle District of Pennsylvania by email.

Dated: April 7, 2025

Respectfully submitted,

/s/ Kevin Siegel

Kevin Siegel (NY Bar No. 5800511)  
Lucas Marquez\* (NY Bar No. 4784583)  
**BROOKLYN DEFENDER SERVICES**  
177 Livingston Street, 7th Floor  
Brooklyn, NY 11201  
Tel: 718-254-0700  
Email: [ksiegel@bds.org](mailto:ksiegel@bds.org)  
Email: [lmarquez@bds.org](mailto:lmarquez@bds.org)

/s/ Vanessa L. Stine

Vanessa L. Stine (PA 319569)  
Keith Armstrong (PA 334758)\*\*  
**AMERICAN CIVIL LIBERTIES UNION OF  
PENNSYLVANIA**  
P.O. Box 60173  
Philadelphia, PA 19102  
Tel: 215-592-1513  
Email: [vtstine@aclupa.org](mailto:vtstine@aclupa.org)  
Email: [karmstrong@aclupa.org](mailto:karmstrong@aclupa.org)

*Pro Bono Counsel for Petitioner*

*\*Admitted pro hac vice.*

*\*\*Application for general admission  
pending.*

**CERTIFICATE OF SERVICE**

I certify that on this date, the foregoing motion and attachments thereto were filed through the CM/ECF system.

Dated: April 7, 2025

/s/ Kevin Siegel

**CERTIFICATE OF CONCURRENCE**

In accordance with Local Rule 7.1, Petitioner's counsel sought concurrence from Respondents' counsel. Respondents' counsel does not concur in the motion for a temporary restraining order and preliminary injunction.

Dated: April 7, 2025

/s/ Kevin Siegel