

**UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF
FLORIDA – ORLANDO DIVISION**

Evandro Marchesini Lagos,

Petitioner,

v.

**U.S. Department of Homeland Security (DHS), U.S. Immigration and
Customs Enforcement (ICE), U.S. Citizenship and Immigration Services
(USCIS),**

Respondents.

Case No: _____

**PETIÇÃO 1 – URGENT MOTION FOR TEMPORARY RESTRAINING
ORDER (14-DAY STAY)**

**UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA –
ORLANDO DIVISION**

COMES NOW, the Petitioner, Evandro Marchesini Lagos, pro se, respectfully moves this Honorable Court to issue an **Emergency Temporary Restraining Order (TRO)** pursuant to **Rule 65(b) of the Federal Rules of Civil Procedure** and **28 U.S.C. § 2241**, staying any attempt to remove or detain the Petitioner from the United States for a minimum period of **14 (fourteen) days**, pending judicial evaluation of the Habeas Corpus filed concurrently.

GROUND FOR RELIEF:

1. Irreparable Harm and Imminent Threat:

On April 11, 2025, the Petitioner received an unrecorded electronic notice of parole termination and removal within 7 days. Such action lacks procedural transparency and violates the Due Process Clause (5th Amendment), as no court order or hearing was held.

2. Active Legal Proceedings Exist:

The Petitioner has a scheduled immigration hearing before a U.S. Immigration Judge on

Evandro Marchesini Lagos – Pro Se – Habeas Corpus – Middle District of Florida – Orlando
Division – April 2025

May 27, 2025, which remains a valid and open legal proceeding. Deportation prior to that hearing would nullify all due process rights and constitute judicial circumvention.

3. Extreme Vulnerability:

The Petitioner is currently residing in a **shelter environment while awaiting justice and legal process**, with no stable country of return, no support system, and no safe alternative. Forced removal would result in abandonment, persecution, or further trauma.

4. Substantial Legal Questions Pending:

The Petitioner may have been erroneously included in a mass removal program similar to CHNV parolees. This issue is currently under federal scrutiny, with active judicial interventions underway, including **Judge Indira Talwani's injunction** efforts and **Judge James Boasberg's federal review of DHS deportation practices**.

PRAYER FOR RELIEF:

The Petitioner respectfully requests that this Court:

- Immediately grant a **14-day TRO**, barring any removal, detention, or immigration enforcement action;
- Maintain the Petitioner in lawful parole status during this period;
- Schedule a preliminary hearing to evaluate the merits of the Habeas Corpus;
- Order the Respondents to provide written notice of any intended enforcement actions.

Respectfully submitted,
Evandro Marchesini Lagos
April 15, 2025 – Orlando, Florida

Evandro Marchesini Lagos – Pro Se – Habeas Corpus – Middle District of Florida – Orlando
Division – April 2025

DC

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA – ORLANDO
DIVISION

Evandro Marchesini Lagos,

Petitioner,

v.



U.S. Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement
(ICE), U.S. Citizenship and Immigration Services (USCIS),

Respondents.

Case No: _____

**PETIÇÃO 2 – MOTION TO STAY REMOVAL UNTIL FINAL JUDICIAL
RESOLUTION**

UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF FLORIDA –
ORLANDO DIVISION

Evandro Marchesini Lagos,

Petitioner,

v.

U.S. Department of Homeland Security (DHS), U.S. Immigration and Customs
Enforcement (ICE), U.S. Citizenship and Immigration Services (USCIS),

Respondents.

Case No: _____

MOTION TO STAY REMOVAL

**(Until Final Judgment and Exhaustion of Judicial Review, Including Supreme Court
Decision if Applicable)**

COMES NOW, the Petitioner, Evandro Marchesini Lagos, respectfully and urgently moves this
Honorable Court for a **permanent stay of removal** until the **final and binding resolution** of all

Evandro Marchesini Lagos – Pro Se – Habeas Corpus – Middle District of Florida – Orlando
Division – April 2025

12

judicial and administrative proceedings related to his immigration status, including but not limited to:

- His scheduled **individual hearing before an immigration judge on May 27, 2025**;
- Any motions to reopen, appeals to the BIA (Board of Immigration Appeals);
- Habeas corpus review now submitted to this Court;
- And any constitutional challenges pending before higher courts, including the **U.S. Supreme Court**, related to the legality of mass deportation of parolees under DHS directives influenced by the **Alien Enemies Act of 1798**.

BASIS FOR RELIEF:

1. **Ongoing National Legal Conflict:** Multiple federal judges, including **Judge James Boasberg** and **Judge Indira Talwani**, have questioned the legality of DHS mass deportation practices against parolees. These actions are currently under review and could result in retroactive invalidation of removals, making immediate enforcement unjust and legally unsustainable.
2. **Petitioner's Unique Vulnerability:** The Petitioner has no safe destination to return to — not the **United Kingdom**, not **Brazil**, and not **Italy** (despite formal nationality), as established in the accompanying petition. Forced removal would amount to **constructive refoulement** and would severely harm his physical and psychological wellbeing.
3. **Risk of Wrongful Inclusion in Mass Deportation:** The Petitioner does not belong to the CHNV groups but may have been caught in the net of DHS automated removal protocols. There is reason to believe his name or profile triggered systemic misclassification, further justifying judicial review and protection.

REQUESTED RELIEF:

The Petitioner respectfully requests this Honorable Court to:

- Issue an **Order Staying All Removal Actions** until a final decision has been made on his pending immigration proceedings;

Evandro Marchesini Lagos – Pro Se – Habeas Corpus – Middle District of Florida – Orlando Division – April 2025