

IN THE UNITED STATES
DISTRICT COURT FOR THE
WESTERN DISTRICT OF
PENNSYLVANIA

FILED

JUL 24 2025

CLERK, U.S. DISTRICT COURT
WEST. DIST. OF PENNSYLVANIA

Cheikh DIAW, Pro Se
Plaintiff

v.

Civil Action no. 3:25-131

Leonard Oddo et al
Respondents

EMERGENCY MOTION FOR
TEMPORARY RESTRAINING
ORDER AND REQUEST FOR
HEARING

Plaintiff Cheikh Diaw, Pro Se, respectfully moves the Court for a Temporary Restraining Order against Respondents. Plaintiff is filing a Second Temporary Restraining Order due to new, exigent information. Respondents claims for detaining Plaintiff are that Plaintiff is a native of Senegal and that the Senegalese Government is in the process of issuing travel documents to facilitate removal to Senegal. Respondents' claim have now proven to be false. On July 21, 2025, at approximately 12:20pm, Deportation officer Z. Phillips facilitated a three way video conference call for an unnamed ICE agent, an official at the Senegalese Embassy and Plaintiff. During

this conference, the Senegalese official corroborated

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Plaintiff's claim that:

1. Plaintiff is not now nor has he ever been a citizen of Senegal.
2. The passport number referenced by respondents in their reply was not issued to Plaintiff.
3. Plaintiff has never had a Senegalese passport or birth certificate.
4. The Senegalese government will not be issuing travel documents to Plaintiff.

The requested relief is Plaintiff's immediate release from detention and the preservation of all transcripts of a video conference call between ICE, the Senegalese Embassy and Plaintiff.

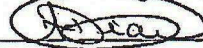
The standard for obtaining injunctive relief through either a temporary or preliminary injunction is well established. In assessing whether to grant such relief a court must balance four factors. All four factors unquestionably support Plaintiff's immediate release from detention. Therefore, Plaintiff respectfully requests that this Court order the following:

1. A hearing on Plaintiff's Motion be set for 3 days after receipt of this motion, or as soon as possible thereafter, at a time to be set by the Court.
2. That all transcripts and recordings of the June 21st call between ICE, the Senegalese Embassy and Plaintiff be preserved for review by the Court.
3. That deportation officer Z. Phillips and the unnamed ICE agent who participated in the call be made available to testify about this matter.
4. If this Court is unable to hear this motion expeditiously,

Plaintiff respectfully requests that this Court enter emergency relief without a hearing and order Plaintiff's immediate release from detention.

Dated: July 23, 2025
Phillipsburg, PA

Respectfully submitted



Cheikh Diaw

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555 Geo DR.

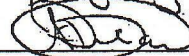
Phillipsburg, PA 16866

July 22, 2025

Dear Clerk of The Court,

Please find enclosed one original copy of a MOTION FOR TEMPORARY RESTRAINING ORDER and request for a hearing. Per Judge Brown's order, I am only including the original copy of this pleading. Per the rules of the Court, I will be contacting your office to notify you of the Emergency nature of this matter

Respectfully Submitted



Cheikh Diaw

555 GEORGETOWN

PHILIPSBURG, PA 16866