

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

AHMER SHAIKH
A# [REDACTED]

Petitioner,

VERSUS

Civ. No. 1:25-cv-00811-RDA-WEF

TODD M. LYONS, Acting Director, U.S.
Immigration and Customs Enforcement;
RUSSEL HOTT, Field Office Director,
Office of Enforcement and Removal, U.S.
Immigration and Customs Enforcement;
KENNETH GENALO, Acting Executive
Associate Director, Enforcement and
Removal Operations;
KRISTI NOEM, Secretary,
Department of Homeland Security; and
PAMELA J. BONDI, Attorney General

Respondents

EMERGENCY EX PARTE MOTION FOR TEMPORARY RESTRAINING ORDER

Petitioner, by counsel, pursuant to Fed. R. Civ. P. 65(b)(1), hereby moves this Court for an emergency ex parte temporary restraining order, enjoining his removal from the United States for a brief period of time while the parties can brief a preliminary injunction motion. In support of this motion, Petitioners respectfully represent as follows:

1. This action was filed at 10.34pm on Friday, May 9, 2025, shortly after Petitioner was re-detained by Respondents.
2. Petitioner is an adult male citizen and national of Pakistan. *See* Dkt No 1-1.
3. Respondents allege they have procured a travel document for Petitioner, but have refused to provide a copy of the travel document and have a history of attempting to remove Petitioner using the travel document of some other person. *See* Dkt. 1-2 at Tab D, p.

5-6 If Respondents remove Petitioner using some other person's identity document they are committing identity fraud and forcing Petitioner to participate in their identity fraud scheme.

4. Petitioner, through counsel has requested a copy of the supposedly new travel document to the deportation officer assigned to Petitioner's matter. *See* Ex. A hereto (email chain between Briana Carlson and ERO Deportation Officer Seth Blumenthal). However, Deportation officer Seth Blumenthal refused to provide counsel or petitioner with the travel document to verify its accuracy. *See id.*

5. On June 16, 2025, undersigned counsel called the U.S. Attorney's Office to discuss the habeas petition and request a copy of the travel document to verify its accuracy and left a message with the staff on duty. On June 21, 2025, undersigned counsel, spoke with petitioner who indicated his commissary account was closed in detention and it was his understanding that he was at imminent risk of either being transferred or removed from the United States. Undersigned counsel immediately emailed Lizzie Spavins, Assistant United States Attorney, U.S. Attorney's Office for the Eastern District of Virginia requesting a copy of the travel document to confirm it matched the identity information of Petitioner. At the time of filing, undersigned counsel has not received a response. *See* Ex. B hereto (email chain between Briana Carlson and Lizzie Spavins).

6 ICE is now on notice that Petitioner contests the veracity of his travel document, yet intends to remove him nonetheless. ICE removal flights generally take place very early in the morning, as early as 5 00am.

7. Petitioner is indigent and lacks financial means to pay a TRO bond.

8. Counsel will file a Proposed Order forthwith.

9 WHEREFORE, Petitioner, by counsel, respectfully requests that this Court temporarily enjoin the removal of Petitioner, for such time until a preliminary injunction motion can be briefed and decided by this Court

Dated: May 7, 2025

s/ Briana Carlson
BRIANA CARLSON
VSB#. 92009
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Counsel for Petitioner

Certificate of
Service

I, the undersigned, hereby certify that on this date, I uploaded the foregoing, with all attachments thereto, to this court's CM/ECF system, which will send a Notice of Electronic Filing (NEF) to all case participants. I furthermore will send a copy by certified U S mail, return receipt requested, to:

Civil Process Clerk
U S Attorney's Office for the Eastern District of Virginia
2100 Jamieson Ave
Alexandria, VA 22314

Office of the General Counsel
U S Department of Homeland Security
245 Murray Lane, SW, Mail Stop 0485
Washington, DC 20528-0485

Pamela Bondi, Attorney General of the United States
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

Office of the Principal Legal Advisor, Washington
U.S. Immigration and Customs Enforcement
500 12th Street SW, Mail Stop 5902
Washington, DC 20536-5902

In addition, I e-mailed a copy to:

Lizzie Spavins, Assistant U.S. Attorney, U.S.
Attorney's Office for the Eastern District of Virginia
Lizzie.Spavins@usdoj.gov

Dated: May 7, 2025

s/ Briana Carlson
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