

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

MP

Petitioner,

v.

C.A. 25-CV-00220

MICHAEL NESSINGER Warden,
Wyatt Detention Facility, in his official
capacity only, and PATRICIA HYDE,
Acting Boston Field Office Director,
U.S. Immigration and Customs
Enforcement, in her official capacity only.

Respondents.

**EMERGENCY APPLICATION FOR A TEMPORARY RESTRAINING ORDER AND/OR
NOTICE OF TRANSFER**

Petitioner-Plaintiff ("Petitioner") is in imminent danger of being transferred out of this District. Petitioner was just informed that he is scheduled to be transferred out of this District for removal today. Accordingly, Petitioner respectfully requests a temporary injunction to preserve the status quo, enjoining (1) any removal outside the country, (2) any transfer out of the District of Rhode Island without at least 48 hours advance notice.

The request for a temporary restraining order against Respondents-Defendants ("Respondents") is made pursuant to Rule 65 of the Federal Rules of Civil Procedure, and the All Writs Act. Petitioner is a civil immigration detainee who is at substantial risk of immediate transfer from the District of Rhode Island.

The TRO sought here does not seek to prohibit the government from prosecuting any individual who has committed a crime. Nor does it seek release from immigration detention or to

prohibit the government from removing any individual who may lawfully be removed under the immigration laws.

A proposed order is attached for the Court's convenience. Petitioner respectfully requests that this Court grant this emergency application and issue a temporary restraining order as soon as possible for Petitioner.

A memorandum of law will follow.

Respectfully submitted,
Plaintiff, By his Attorneys,

/s/ Denise Acevedo Perez
Denise Acevedo Perez, Esq. (#9439)
RI Immigration & Family Law Group
1395 Atwood Avenue, Ste. 206
Johnston, RI 02919
(401) 270-7104
dperez@rilawgroup.legal