

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

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Jean Emmanuel Pierre,

Petitioner,

v.

25-cv-02248

Pamela Bondi, Attorney General;

Kristi Noem, Secretary, U.S. Department  
of Homeland Security;

Peter Berg, Director, Ft. Snelling Field  
Office Immigration and Customs  
Enforcement;

and,

Eric Tollefson, Sheriff of Kandiyohi  
County,

Respondents.

**EMERGENCY MOTION FOR  
TEMPORARY RESTRAINING  
ORDER AND PRELIMINARY  
INJUNCTION**

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**EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER**

For the reasons set forth in the accompanying memorandum, Petitioner Jean Emmanuel Pierre hereby moves under Fed. R. Civ. P. 65 on an immediate and emergency basis for a Temporary Restraining Order ordering Respondents to release Respondent from custody and to prohibit them from moving him outside of

the geographic boundaries of the Federal District of Minnesota for the duration of these proceedings.

Petitioner is a Haitian national who has resided in the United States since January 25, 2010, and held Temporary Protected Status (“TPS”) continuously since January 11, 2012. He has no criminal history, nor could he, given his continued maintenance of TPS status. On July 1, 2021, Respondents issued Petitioner an I-512L, travel authorization document pursuant to his TPS status. Petitioner departed the United States and on August 8, 2022, returned to the United States pursuant to his TPS travel authorization. He applied for an extension of his TPS status, which was received by U.S. Citizenship and Immigration Services (“USCIS”) on August 1, 2024, after Respondents authorized the extension of that program.

On April 1, 2025, Respondents took Petitioner into custody near Pembina, North Dakota. He requested bond on April 4, 2025. Petitioner attended a bond redetermination hearing on April 10, 2025, but was denied when the Immigration Judge disclaimed jurisdiction to hear his case, stating that he was an arriving alien. Petitioner filed a request for reconsideration, but the Immigration Judge again found Petitioner ineligible as an arriving alien on April 11, 2025. On May 2, 2025, Petitioner simultaneously filed a second motion to reconsider the Immigration Judge’s bond decision and a motion to terminate his removal proceedings on the grounds that he was not an arriving alien. The Immigration Judge denied both

motions on May 15, 2025, again finding that Petitioner was an arriving alien and that his TPS status had expired in 2019.

These decisions were wrong as a matter of law as they mischaracterize the legal nature of an entry made pursuant to TPS travel authorization and completely ignore the import of the Ramos v. Nielsen, 321 F.Supp.3d 1083 (N.D. Cal. Oct. 3, 2018) litigation and subsequent extensions of TPS Haiti, as well as Petitioner's timely application to extend his TPS. As such, Petitioner seeks immediate relief.

Plaintiff hereby motions as follows:

1. Pursuant to Fed. R. Civ. P. 65, Plaintiff seeks an Emergency Temporary Restraining Order temporarily enjoining Respondents from moving Petitioner outside of the geographic boundaries of the District of Minnesota.

WHEREFORE, Plaintiff respectfully requests this Court:

- A. Grant this Motion for Temporary Restraining Order; and,
- B. Grant such other and further relief as justice may require.

Respectfully submitted,

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May 28, 2025  
Date

/s/ Olivia Anderson-Petroske

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