

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION

**Douglas Menjivar,**

Petitioner,

v.

**Randall Tate**, Warden, Montgomery Processing Center;  
**Bret Bradford**, Director of Houston Field Office, U.S.  
Immigration and Customs Enforcement; **Kristi Noem**,  
Secretary of the U.S. Department of Homeland Security,  
and **Pam Bondi**, Attorney General of the United States,  
in their official capacities,

Respondents.

Case No. 4:25-cv-02730

**EMERGENCY MOTION  
FOR A TEMPORARY  
RESTRAINING ORDER  
AND/OR PRELIMINARY  
INJUNCTION**

**ORAL ARGUMENT  
REQUESTED**

**PETITIONER'S EMERGENCY MOTION FOR A TEMPORARY  
RESTRAINING ORDER AND/OR PRELIMINARY INJUNCTION**

Petitioner, Douglas Menjivar, through his undersigned Counsel, moves under the Federal Rules of Civil Procedure 65 for the following temporary restraining order and preliminary injunction against all Defendants:

1. Grant his Motion for Emergency Motion for Temporary Restraining Order and/or Preliminary Injunction.
2. Enter an Order continuing to enjoining Defendants and their agents from removing him from the United States until further order of the Court; and
3. Grant him such other, further and additional relief as the Court deems just and appropriate.

In support of his Motion, Petitioner relies on the accompanying Brief in Support, including any attached exhibits, and his Petition for Habeas Corpus relief. (ECF # 1)

As Petitioner shows in his brief, he is entitled to immediate and preliminary injunctive relief because he shows that there is (1) the imminent threat of irreparable harm; (2) the state of balance between this harm and the injury that granting the injunction will inflict on other parties litigant; (3) the probability that movant will succeed on the merits; and (4) the public interest.” The issuance of a temporary restraining order is meant to preserve the status quo.

Petitioner also requests an opportunity to be heard on this Motion as soon as the Court’s schedule allows. If a hearing is to be set on this motion, since Petitioner’s attorney is out-of-state, undersigned counsel for Petitioner respectfully moves this Court to allow for his (attorney Brian Green’s) remote participation.

Respectfully submitted this 11<sup>th</sup> day of June, 2025

/s/ Brian Scott Green

Brian Scott Green

Colorado Bar ID # 56087

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**CERTIFICATE OF SERVICE**

I certify that on June, 11, 2025 I electronically filed the foregoing PETITIONER'S EMERGENCY MOTION FOR A TEMPORARY RESTRAINING ORDER AND/OR PRELIMINARY INJUNCTION with the Clerk of court using the CM/ECF system which will automatically send e-mail notification of such filing to the Defendants' attorneys of record.

/s/ Brian Scott Green

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