

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

DOMINGO MENDOZA MENDEZ,

Petitioner,

v.

RYAN SHEA, in his official capacity as the Freeborn County Sheriff; PETER BERG, in his official capacity as the St. Paul Field Office Director for U.S. Immigration and Customs Enforcement; TODD LYONS, in his official capacity as Acting Director, U.S. Immigration and Customs Enforcement; KRISTI NOEM, in her official capacity as Secretary of the United States Department of Homeland Security,

Respondents.

Case No. _____

**PETITIONER'S EMERGENCY
MOTION FOR TEMPORARY
RESTRAINING ORDER UNDER
FRCP 65(b) AND
PRELIMINARY INJUNCTION
UNDER FRCP 65(a)**

**EXPEDITED HANDLING
REQUESTED**

**PETITIONER'S EMERGENCY MOTION FOR
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION WITH
EXPEDITED HANDLING**

Mr. Domingo Mendoza Mendez, ("Petitioner"), pursuant to 28 U.S.C. § 2241, the Fifth Amendment of the United States Constitution, 8 U.S.C. §§ 1101 *et seq.* ("the INA"), 5 U.S.C. §§ 701 *et. seq.* (the "APA"), and Rule 65(a) and (b) of the Federal Rules of Civil Procedure, moves the Court for entry of a Temporary Restraining Order and Preliminary Injunction enjoining Respondents, and all persons acting on Respondents' behalf, from continuing to infringe on Petitioner's constitutional rights by subjecting him to imminent

removal, or taking any other related enforcement action against Petitioner, including transferring Petitioner away from the jurisdiction of this District pending these proceedings and continuing to detain Petitioner during the pendency of his underlying Petition for Writ of Habeas Corpus proceedings. The moving party does not intend at this time to present witness testimony at an evidentiary hearing.

The reasons in support of this Motion are set forth in the accompanying Memorandum of Points and Authorities. This Motion is based on the previously-filed Petition for Writ of Habeas Corpus (Doc. No. 1), as well as the exhibits and declaration of undersigned counsel. Doc. No. 01-2 through 01-10. As set forth in the Points and Authorities in support of this Motion, Petitioner raises that he warrants an emergency temporary restraining order due to his weighty liberty interests under the Due Process Clause of the Fifth Amendment in remedying the imminent removal and his unlawful detention.

WHEREFORE, Petitioner prays that this Court grant his request for a temporary restraining order enjoining Respondents from removing Petitioner from the United States pending these proceedings, transferring Petitioner away from the jurisdiction of this District pending these proceedings or continuing to detain Petitioner pending these proceedings. The only mechanism to ensure that Petitioner does not continue to be unlawfully detained, transferred, or removed in further violation of his due process rights is an ex-parte temporary restraining order from this Court.

Respectfully submitted,

Dated: July 13, 2025

/s/ Magdalena Metelska, Esq.

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