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**UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

Islam DZHATDOEV;

Petitioner,

v.

Kristi NOEM, Secretary, Department of
Homeland Security; Pam BONDI, Attorney
General; IMMIGRATION AND
CUSTOMS ENFORCEMENT; and Todd
LYONS, Acting Director, Immigration and
Customs Enforcement.

Respondents.

Civil Case No.: 8:25-cv-01713

**PETITIONER'S EX PARTE
APPLICATION FOR TEMPORARY
RESTRAINING ORDER AND
ORDER TO SHOW CAUSE**

1 For the reasons explained in the accompanying Memorandum of Points and
2 Authorities, Petitioner hereby makes this Ex Parte Application for a Temporary
3 Restraining Order and Order to Show Cause pursuant to Federal Rule of Civil Procedure
4 65 and 5 U.S.C. § 705. Petitioner is an immigration detainee arrested in violation of law,
5 facing continued detention pursuant to an unlawful arrest and continued separation from
6 his three-year-old daughter.

7 As a result of Respondents' actions, Petitioner is being detained in violation of his
8 personal liberty and faces transfer outside of this judicial district and away from his
9 young daughter. Expedited relief is necessary to prevent irreparable injury before a
10 hearing on a preliminary injunction may be held.

11 Petitioner requests that the Court issue a temporary restraining order and order to
12 show case re: preliminary injunction in the form of the proposed order submitted
13 concurrently with this Application. This Application is based on the Petition for Writ of
14 Habeas Corpus, Memorandum of Points and Authorities, and the declaration and exhibits
15 in support thereof.

16 Respondents were advised on August 5, 2025 via email and on August 6, 2025 via
17 phone that Petitioner would be filing this ex parte application and of the contents of this
18 application. Whalley Decl. ¶ 5. *See* Local Rule 17-19.1. On August 6, 2025, Respondents
19 stated via phone that they oppose this application and requested two days to respond.
20 Petitioner requests that the Court order his release without a response given the liberty
21 interest at stake and his continued separation from his young daughter.

22
23 Counsel for Respondents are as follows:

24 David Harris | Assistant United States Attorney
25 Chief | Complex And Defensive Litigation Section | Civil Division
26 United States Attorney's Office | Central District of California
27 300 N. Los Angeles Street, Suite 7516 | Los Angeles, CA 90012
28 David.M.Harris@usdoj.gov

Daniel A. Beck | Assistant United States Attorney

Chief, Complex and Defensive Litigation Section
United States Attorney's Office | Central District of California
300 N. Los Angeles Street, Suite 7516 | Los Angeles, CA 90012
T: (213) 894-2574 | F: (213) 894-7819 | daniel.beck@usdoj.gov

Dated : August 6, 2025

/s/ Jana Whalley

Jana Whalley

CERTIFICATE OF COUNSEL

Pursuant to Rule 65(b)(1)(B) of the Federal Rules of Civil Procedure and L.R. 65-1, I hereby certify that on August 5, 2025, at approximately 5:14 PM, I emailed David Harris, Chief of the Civil Division, U.S. Attorney's Office, Central District of California, to notify him that I planned to file a Temporary Restraining Order application that evening. On August 5, 2025 at approximately 9:50 PM, I emailed Mr. Harris a copy of the Temporary Restraining Order application and accompanying documents. On August 5, 2025 at approximately 10:49 PM, I emailed AUSAs David Harris and Daniel Beck to notify them that I would file the TRO the following morning, explained the basis upon which Petitioner is seeking a TRO, and reattached a copy of the draft filings. I provided a copy of the draft Application for a Temporary Restraining Order, supporting exhibits, Memorandum of Points and Authorities, and Petition for Writ of Habeas Corpus to Mr. Harris and Mr. Beck by emailing copies to David.M.Harris@usdoj.gov and Daniel.Beck@usdoj.gov. On August 6, 2025, at approximately 9:01am, I called AUSA Daniel Beck and notified Mr. Beck that we planned to file the TRO that morning. Mr. Beck informed me that Respondents oppose the TRO and request two days to file a response. On August 6, 2025 at approximately 12:08 PM I informed Mr. Beck I was delayed and would file the TRO that afternoon.

Dated: August 6, 2025

Respectfully Submitted,

/s/ Jana Whalley

Jana Whalley (CA SBN #318367)

Public Counsel

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Counsel for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on August 6, 2025, I served a copy of this Application for TRO and OSC and all attachments by email to the following individuals:

David Harris | Assistant United States Attorney
Chief | Complex And Defensive Litigation Section | Civil Division
United States Attorney's Office | Central District of California
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/s/ Jana Whalley
Jana Whalley
Counsel for Petitioner