

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

JEAN CARLOS VERA VERGARA,
Petitioner–Plaintiff,

v.

ALEJANDRO MAYORKAS,
Secretary of Homeland Security, et al.,
Respondents–Defendants.

Civil Action No. 3:25-cv-02075-B

**PLAINTIFF’S MOTION FOR HEARING ON EMERGENCY
APPLICATION FOR TEMPORARY RESTRAINING ORDER**

TO THE HONORABLE JUDGE BROWN:

Petitioner–Plaintiff Jean Carlos Vera Vergara (“Mr. Vera”) respectfully moves this Court for the prompt scheduling of a hearing on his Emergency Application for a Temporary Restraining Order (“TRO”) and Preliminary Injunction (the “Application”), filed contemporaneously with his Verified Petition for Writ of Habeas Corpus and Complaint for Declaratory and Injunctive Relief on August 5, 2025 (ECF No. 1).

In accordance with the instructions provided by chambers staff for the Honorable Judge Ada Brown, and pursuant to Federal Rule of Civil Procedure 65(b)(3) and Local Civil Rule 7.1(g), Mr. Vera requests that the Court set the Application for oral argument at the earliest practicable time—ideally within forty-eight (48) hours—given the extreme urgency of the issues presented.

Immediate judicial consideration is necessary because Mr. Vera faces ongoing, irreparable harm: he is presently in civil immigration custody at the Prairieland Detention Center in Alvarado, Texas, following an ambush arrest inside the Earle Cabell Federal

Building on August 5, 2025. Mr. Vera is at imminent risk of transfer outside this District, and on information and belief, the government intends to subject Mr. Vera to expedited removal under INA § 235(b) [8 U.S.C. § 1225(b)].

Absent prompt intervention by this Court, Mr. Vera could be removed from the United States—or placed beyond this Court’s reach—before meaningful judicial review can occur, despite the fact that the very reason Mr. Vera’s deportation proceedings were dismissed was because DHS attorneys falsely represented to the Immigration Court that there were “changed circumstances” so that Mr. Vera was no longer a priority for immigration enforcement.

Under Fed. R. Civ. P. 65(b)(3), the Court must set a hearing on a request for injunctive relief “at the earliest possible time,” and the Supreme Court has emphasized that a TRO is a short-term measure designed only to preserve the status quo until a full hearing can be held. *See Granny Goose Foods, Inc. v. Bhd. of Teamsters*, 415 U.S. 423, 439 (1974). Consistent with that mandate, courts in this Circuit set such matters swiftly where irreparable harm is imminent in order to “preserve the district court’s power to render a meaningful decision after a trial on the merits.” *Canal Auth. of Fla. v. Callaway*, 489 F.2d 567, 572-73 (5th Cir. 1974).

Counsel for Mr. Vera conferred telephonically and via email today with Mr. Judson Davis, Deputy Chief Counsel for Immigration and Customs Enforcement (“ICE”) in Dallas Office of Principal Legal Advisor. As of the filing of this motion, government counsel has not indicated whether the government opposes the request for an expedited hearing. Given the exigent circumstances, Mr. Vera respectfully requests that the Court waive any further conference requirement under Local Rule 7.1.

Mr. Vera is prepared to present argument and evidence by in-person appearance or, if the Court prefers, by videoconference. Should the Court require live testimony, Petitioner requests that Respondents be directed to produce Mr. Vera at the hearing.

CONCLUSION & PRAYER

WHEREFORE, Petitioner-Plaintiff respectfully prays that the Court enter an order setting the Emergency Application for a TRO for hearing at the earliest practicable time and granting such other relief as the Court deems just and proper.

DATE: August 7, 2025.

Respectfully submitted,

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By: /s/ John M. Bray
John M. Bray
Texas Bar No. 24081360
ATTORNEY FOR PETITIONER-PLAINTIFF

VERIFICATION

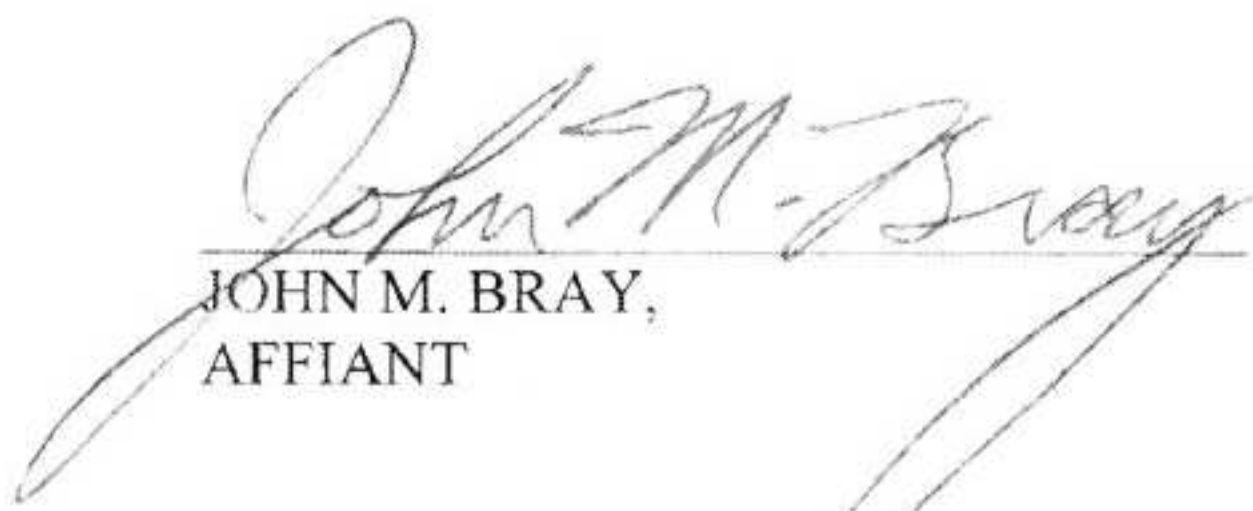
STATE OF TEXAS §
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COUNTY OF DALLAS §

BEFORE ME, the undersigned Notary Public in and for the State of Texas personally appeared JOHN M. BRAY, a person known to me, who after being duly sworn, stated the following under oath:

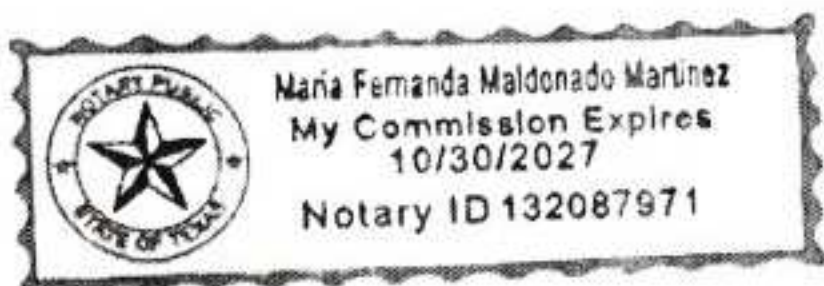
“My name of JOHN M. BRAY, and I am attorney licensed to practice in the State of Texas since May 24, 2012. I am over the age of 18 years, and I am in all ways competent to execute this document.

I have read the facts contained in the above and foregoing *Plaintiff's Motion for Hearing on Emergency Application for Temporary Restraining Order*, I have personal knowledge of the facts contained therein, and they are true and correct to the best of my knowledge and belief.

“I swear under penalty of perjury of the laws of the United States of America that the foregoing is true and correct.


JOHN M. BRAY,
AFFIANT

SWORN AND SUBSCRIBED before me, the undersigned Notary Public in and for the State of Texas, on August 7, 2025.




Notary Public, State of Texas

CERTIFICATE OF SERVICE

By my signature below, I hereby certify that on this day, I served a true and correct copy of the above and foregoing *Plaintiff's Motion for Hearing on Emergency Application for Temporary Restraining Order*, as well as any and all attachments thereto, on Counsel for Respondents-Defendants by serving the same via email to Mr. Judson Davis, Deputy Chief Counsel for the U.S. Immigration and Customs Enforcement via judson.j.davis@ice.dhs.gov and/or by filing the same using the Court's CM/ECF system.

/s/ John M. Bray
John M. Bray
Attorney for Petitioner-Plaintiff

DATE: August 7, 2025.