

ON BEHALF OF RESPONDENT: Clarissa Guajardo, 4101 Greenbriar Dr., Suite 317, Houston,
Texas 77098, (713) 426-5100

DETAINED

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON, TEXAS

United States Courts
Southern District of Texas
FILED

AUG 06 2025

Nathan Ochsner, Clerk of Court

IN THE MATTER OF:

CISS, GORGUI

IN REMOVAL PROCEEDINGS

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FILE NOS: A-Number: 

Before: N/A

Next hearing date: N/A

FILING OF A EMERGENCY MOTION FOR TEMPORARY RESTRAINING
ORDER

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON, TEXAS

RESPONDENT:

CISS, GORGUI

A-Number: 

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) TEMPORARY RESTRAINING ORDER
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FILING OF A EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

Dear Clerk of the Court:

Please find enclosed for filing the following documents in connection with the above-referenced matter: Verified Complaint, Emergency Motion for Temporary Restraining Order with Memorandum of Law, Proposed Order, Certificate of Service

This is an emergency filing, and we respectfully request that it be forwarded to the appropriate judge for immediate consideration. Please file-stamp the enclosed courtesy copy and return it to me.

If you have any questions or require further documentation, please do not hesitate to contact me at the number listed above.

Thank you for your assistance.

Respectfully Submitted,

Clarissa Guajardo

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CERTIFICATE OF SERVICE

I, Clarissa Guajardo, hereby certify that on this 6th day of August, 2025, I served a true and correct copy of the foregoing **Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254** [or § 2241, if applicable], along with any attachments or exhibits.


Clarissa Guajardo

MOTION FOR TEMPORARY RESTRAINING ORDER (TRO)

CASE NO. _____

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS,
HOUSTON DIVISION

Gorgui Ciss, Petitioner
v.

U.S. Department of Homeland Security Citizenship and Immigration Services, U.S. Department
of Justice, U.S. Attorney General Pam Bondi and San Antonio Immigration and Customs
Enforcement Field Office

PETITION FOR TEMPORARY RESTRAINING ORDER

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW, Gorgui Ciss, Petitioner, by and through his attorney, Clarissa Guajardo, and respectfully moves this Honorable Court for a Temporary Restraining Order (TRO) to prevent the deportation of Mr. Ciss pending the resolution of his Writ of Habeas Corpus. In support of this motion, Petitioner states as follows:

INTRODUCTION

Petitioner, Gorgui Ciss, is a Senegalese national currently detained at the Joe Corley ICE detention facility in Conroe, Texas. Mr. Ciss faces imminent deportation to Senegal, where he will likely suffer persecution due to his sexual orientation. This motion seeks to protect Mr. Ciss from unlawful deportation and detention that violates both international human rights norms and his due process rights.

FACTS

1. Mr. Ciss was born on [REDACTED] 1997, in Dakar, Senegal, and faced severe punishment for his homosexuality during his formative years at the conservative Muslim school, Dara Elhadji Malick Sey.
2. Following his escape in 2021, Mr. Ciss has continued to face discrimination, constant abuse and violence due to his identity.
3. Under the Immigration and Nationality Act (INA), Mr. Ciss has expressed a credible fear of persecution if returned to Senegal, and he has exhausted all administrative remedies to seek asylum.
4. His detention and the imminent threat of deportation violate international human rights laws, including the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights.

GROUND\$ FOR TEMPORARY RESTRAINING ORDER

A temporary restraining order is warranted where there is a substantial likelihood of irreparable harm, where the movant shows a likelihood of success on the merits, where the balance of equities tips in favor of the movant, and where the injunction is in the public interest.

A. Immediate Threat of Irreparable Harm

Mr. Ciss will suffer irreparable harm if deported to Senegal, where he will face persecution, torture, and potential death due to his sexual orientation. The harm he faces is both imminent and irreversible.

B. Likelihood of Success on the Merits

Petitioner has a strong likelihood of success on his Writ of Habeas Corpus. The evidence demonstrates that his detention violates international human rights protections and due process rights. The Court has recognized similar cases where deportation was halted based on credible fear of persecution.

C. Public Interest

The public interest favors granting the TRO. Upholding international human rights standards and protecting individuals from persecution aligns with the values of justice and humanity that our legal system embodies.

ARGUMENT

Irreparable Harm: Deportation poses a significant risk of persecution or death due to Mr. Ciss's homosexuality.

Likelihood of Success on the Merits: The withholding or removal of Mr. Ciss under international law and U.S. regulations that govern credible fear interviews and asylum claims provides a strong basis for relief.

Public Interest: Upholding human rights and adhering to international agreements that protect asylum seekers align with the public interest.

Balance of Equities: The risk to Mr. Ciss's life and freedom far outweighs any governmental interest in deporting him before his legal claims are fully resolved.

PRAYER FOR RELIEF

WHEREFORE, based on the foregoing, Petitioner respectfully requests that this Honorable Court:

1. Grant a Temporary Restraining Order to prevent the deportation of Gorgui Ciss until the resolution of his Writ of Habeas Corpus.
2. Set a hearing date for a preliminary injunction.

3. Provide any other relief that the Court deems just and proper.

Respectfully submitted,

Clarissa Guajardo

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