

Federal Court

1701 W Highway 83, Mcallen, Texas 78501

Fadel Al Masri,

Petitioner,

v.

U.S. Immigration and Customs Enforcement (ICE),

Case No.:

Emergency Motion for Temporary Restraining Order (TRO)

I, Fatima Al Masri, sister of Petitioner Fadel Al Masri, respectfully submit this Emergency Motion for Temporary Restraining Order to prevent ICE from removing my brother while his TPS application is pending adjudication.

I. Introduction

My brother, Fadel Al Masri, is detained at El Valle Detention Center in Raymondville, Texas 78580. He has filed an application for Temporary Protected Status (TPS) with USCIS that is still pending. Removal before a decision on his TPS application would cause him irreparable harm, depriving him of his only chance for legal protection. We also have serious concerns that ICE may retaliate against him for pursuing his legal rights, including submitting requests to stay removal and his TPS application. Therefore, immediate judicial protection is necessary. ---

II. Facts

1. Fadel is detained at El Valle Detention Center, Raymondville, TX, 78580.
2. He filed his TPS application (receipt attached), and he is eligible for TPS.
3. His removal order is not yet final and may be subject to reopening or reconsideration.
4. He requested a stay of removal from ICE, which remains ungranted.

5. ICE is believed to be preparing to remove him imminently as an act of retaliation.

6. Removal before TPS adjudication would cause irreparable harm. Fadel's application will be automatically denied pursuant to USCIS policy, permanently depriving him of the only legal protection available to him. Such removal would also expose him to significant personal risk in his home country. These harms cannot be undone through any later legal remedy, and therefore constitute irreparable harm.

7. There is concern ICE might retaliate against him for exercising his legal rights.

8. Additionally, I and my brother have also filed a Habeas Corpus petition because ICE's actions not only hinder the TPS process but also risk continued detention even if temporary protection is granted, unlawfully restricting his right to release.

9. ICE doesn't have the right to remove him by law. Source: 8 C.F.R. § 244.10(e) (as cited in Federal Register notices, various TPS designations) "An alien who has applied for temporary protected status in accordance with this section shall not be removed from the United States during the pendency of the application."

III. Legal Standard To obtain a TRO, Petitioner must show: Likelihood of success on the merits; Irreparable harm if relief is not granted; Balance of equities favors Petitioner; and Injunction is in the public interest.

IV. Conclusion

For these reasons, I respectfully ask the Court to grant this Emergency Motion and prevent the removal of my brother until his TPS application is decided.

Respectfully submitted,

Fatima Al Masri


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2 - August 2025