

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

Mujtaba QEYAMI,

Petitioner,

v.

Michael BRECKON, Warden, Folkston D. Ray ICE
Processing Center, *et al.*,

Respondents.

Civ. Action No. 5:25-cv-87-LGW-BWC

**PETITIONER'S UNOPPOSED MOTION FOR WITHDRAWAL OF MOTION FOR
TEMPORARY RESTRAINING ORDER**

NOW COMES Petitioner Mujtaba Qeyami ("Petitioner" or "Mr. Qeyami"), and respectfully moves this court to grant the withdrawal of his Motion for Temporary Restraining Order ("TRO"), Dkt. 6.

Petitioner filed a Petition for Habeas Corpus on August 26, 2025, Dkt. 1, following the next day with the Motion for TRO, Dkt. 6, which seeks to enjoin Respondents from transferring him out of this Court's jurisdiction or unlawfully removing him from the United States.

On August 29, 2025, this Court set a hearing on Mr. Qeyami's Motion for a TRO for September 4, 2025, at 2:00pm ET. Dkt. 8. On September 4, 2025, at approximately 9:30am ET, Respondents filed a response brief, Dkt. 12, for the first time giving notice that they had changed their minds about Mr. Qeyami's immigration proceedings, shifting him out of the unlawful and internally contradictory process he had been subjected to pursuant to the Presidential Proclamation, "Guaranteeing The States Protection Against Invasion," Proclamation No. 10888, 90 Fed. Reg. 8333 (Jan. 20, 2025) [hereinafter, "the 2025 Proclamation"] and Section 212(f) of the Immigration

and Nationality Act (“INA”), and issuing him instead a Notice and Order of Expedited Removal under 8 U.S.C. §1225(b). This shift, if true, would have the effect of changing Mr. Qeyami’s detention status. These actions in response to his filing would afford him access to a process that Respondents had been denying him for over six months.¹

At the September 4 hearing on Mr. Qeyami’s Motion for a TRO, this Court heard argument from both parties, converted the motion from seeking a TRO to a Preliminary Injunction, and set an optional reply deadline for Petitioner. Petitioner’s reply is currently due on October 6, 2025. *See* Dkt. 23. The Parties have been in ongoing discussion about Mr. Qeyami’s immigration proceedings and their impact on this pending matter.

Petitioner now respectfully moves this court to permit him to withdraw the pending TRO² without prejudice to re-file should it appear that Respondents are engaging in transfer or unlawful deportation. Petitioner conferred with counsel for Respondents on October 3, 2025, and they did not oppose this motion.

Dated: October 6, 2025

Respectfully submitted,

/s/ Gracie Willis
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¹ As of the time of filing, over a month after Respondents put Mr. Qeyami into expedited removal proceedings, Mr. Qeyami still has not been afforded a credible fear interview.

² Petitioner does not waive any responses or defenses to the arguments raised by Respondents in their opposition to his motion, nor does he adopt, endorse, or concede any of Respondents’ arguments in opposition. He further maintains that his detention was unlawful and ultra vires and that he was unlawfully held in Respondents’ custody without an opportunity to challenge his detention from February 5, 2025, until at least September 2, 2025, when he was ostensibly afforded process through statutory expedited removal under 8 U.S.C. § 1225(b)(1).

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** Admitted pro hac vice*

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CERTIFICATE OF SERVICE

I, undersigned counsel, hereby certify that I filed this Motion for Withdrawal of Petitioner's TRO using the CM/ECF system, which will send a notice of this filing to all participants in this case.

Dated: October 6, 2025

Respectfully submitted,
/s/ Gracie Willis
Gracie Willis