

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION**

DAHN HUE NGUYEN,
a/k/a HUE DAHN NGUYEN

CASE NO. 1:25-cv-01249-JE-JPM

Petitioner,

JUDGE: Jerry Edwards, Jr.

v.

MAGISTRATE JUDGE: Joseph H.L. Perez-
Montes

MELISSA B. **HARPER**, Field Office
Director, United States Immigration and
Customs Enforcement New Orleans Field
Office, Enforcement and Removal
Operations; et. al.,

Respondents.

**PETITIONER'S EMERGENCY MOTION
FOR A TEMPORARY RESTRAINING ORDER**

COMES NOW the Petitioner ("Petitioner"), DAHN HUE NGUYEN a/k/a HUE DANH NGUYEN, by and through his undersigned counsel, and Pursuant to Federal Rule of Civil Procedure 65, respectfully requests that the Court issue an order requiring Respondents to immediately release Petitioner, or, in the alternative, Petitioner requests that the Court issue an order barring Respondents from transferring him outside this District or deporting/removing him from the United States, and respectfully states as follows:

1. Upon information and belief, On or about August 29, 2025, ICE transferred the Petitioner from the Western District of Louisiana to an unknown location in Arizona. Upon information and belief, Petitioner is scheduled to be removed from the United States to Vietnam in the immediate future. *See Declaration of Jeffrey A. Devore* attached hereto as Exhibit No. 1

2. As explained in the accompanying Memorandum of Law in Support of Motion for a Temporary Restraining Order, Petitioner is likely to succeed on his claims that Respondents, by detaining him without any legal basis, are violating his rights under the Fourth and Fifth Amendments of the U.S. Constitution. Petitioner's continued detention irreparably harms him, and the balance of the equities and the public interest heavily favor relief.

WHEREFORE, for the foregoing reasons, Petitioner prays that this Honorable Court grant his Emergency Motion for a Temporary Restraining Order and/or any other relief this Honorable Court deems just and proper under the circumstances.

LOCAL RULE 65.1 CERTIFICATE

Pursuant to Local Rule 65.1, on August 29, 2025 undersigned counsel Jeffrey A. Devore (Pro Hac Vice pending) contacted the United States Attorney's Office for the Western District of Louisiana to ascertain the Respondent's position on this motion. Undersigned counsel was transferred to the voicemail of Assistant United States Attorney Jabrina Edwards and left a message explaining the anticipated filing of this motion and requesting the position of the Respondents. No response has been received. Copies of all pleadings and other papers filed in this action have been served on the Respondents.

Respectfully submitted,

GORDON ARATA MONTGOMERY BARNETT
Attorneys for Petitioner
1015 Saint John Street
Lafayette, Louisiana 70501
Telephone: (337) 521-8843
Facsimile: (337) 237-3451

By: s/ Samuel E. Masur
SAMUEL E. MASUR, ESQ.
Louisiana Bar No. 01221
SMasur@gamb.com

DEVORE LAW GROUP, P.A.
Attorneys for Petitioner
4100 RCA Blvd.
Suite 110
Palm Beach Gardens, Florida 33410
Telephone: (561) 478-5353
Facsimile: (561) 478-2144

By: s/ Jeffrey A. Devore
JEFFREY A. DEVORE, ESQ.
Florida Bar No. 0845493
jdevore@devorelawgroup.com
(Pro Hac Vice Pending)

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I electronically filed the foregoing document with the Clerk of the Court and that to the best of my knowledge a true and correct copy of the foregoing, along with a Notice of Electronic Filing, will be served electronically through the Court's ECF system to all parties of record, this 1st day of September, 2025.

Respectfully Submitted,

GORDON ARATA MONTGOMERY BARNETT

Attorneys for Petitioner

1015 Saint John Street

Lafayette, Louisiana 70501

Telephone: (337) 521-8843

Facsimile: (337) 237-3451

By: s/ Samuel E. Masur

SAMUEL E. MASUR, ESQ.

Louisiana Bar No. 01221

SMasur@gamb.com