

UNITED STATES DISTRICT COURT
District of Arizona

Civil Action No.:

Vida Ven,

Petitioner

Vs.

Luis Rosa, Jr., Warden Central Arizona
Florence Correction Complex
and
Joshua Johnson, Director,
Immigration and Customs Enforcement,
Enforcement and Removal Operations,
Dallas TX,
Respondents

Motion for Temporary Restraining
Order and Preliminary Injunction

INTRODUCTION

1. Vida Ven is a non-criminal who entered the United States as a Permanent Resident in 24-Aug-2002 based on a marriage. This first marriage did not last and Mr. Ven was ordered removed and he exhausted his appeals in 2011. **In 2016, he met his present wife, Cendy Chhim, who he has 2 children with and whom real property and profitable business (donut shop) with. Mr. Ven's wife is an active applicant for US Citizenship.**
2. On Friday, August 29, 2025, at the end of the business day, about 5 pm east coast time, his motion for an Emergency Stay of Removal was denied, signaling that his actual removal was scheduled to be within 3 days. **His Motion to Reopen remains pending before the BIA.**
3. The notice at the end of the business day of a 3 day holiday weekend effectively delayed Mr. Ven's access to the federal courts and Habeas Corpus relief before the execution of his removal order.

Statement of Facts

4. **The Petitioner has been here since 2002. He arrived as Permanent Resident**, based on marriage. That marriage encountered trouble and this led to Mr. Ven being ordered deported.
5. In 2016, **Mr. Ven married and established a life in Texas. He and his Permanent Resident wife have 2 young children, own and operate a profitable donut shop and own real property. Ven's wife is awaiting retest of her writing skills to become a US Citizen.** They are established here in the United States.
6. Ven has asked the **Board of Immigration Appeals for his Immigration Court Matter to be reopened so he may apply for Cancellation of Removal, allowing him to stay in the United States which is currently pending.**
7. The precipitous taking into Custody by ICE **unreasonably deprives the Petitioner of his freedom and ability to seek relief from his removal order after living in the community for many subject to a final order of removal.**
8. The notice, on the Friday before a holiday weekend, delayed Mr. Ven of access to the federal courts.
9. Further Detention of the Petitioner will deprive him of his ability to reopen his Immigration Court matter and seek permanent status with his family in the United States.
10. Execution of Mr. Ven's removal order will deprive him of the reasonable ability to seek relief from the 2011 removal order.
11. Please see attorney affidavit.

Success on the Merits

12. Mr. Ven has asked the Board of Immigration Appeals to Reopen his Removal Case so he may pursue Cancellation of Removal. He has filed draft Cancellation of Removal application with the Board. I, Counsel, offer these applications are meritorious and likely to succeed.

13. The short notice of execution of his removal order has deprived Mr. Van of access to Habeas relief. I offer that this is a serious due process violation and when combined with a viable process to get legal status, requires the granting a TRO and a Preliminary Injunction.

Prayer for Relief

14. Mr. Ven requests that this Honorable Court will 1) Order that the Defendants not remove him from the United States until a full hearing on his Habeas petition is held and that this order remain in effect until a subsequent hearing on that order.
15. Mr. Ven requests that this Honorable Court will 1) Order, without hearing, a Temporary Restraining Order that the Defendants not remove him from the United States until a further hearing.

Respectfully submitted

Attorney for the Petitioner

/s/ Thomas Stylianos, Jr

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