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5
6 UNITED STATES DISTRICT COURT
DISTRICT COURT OF NEW JERSEY

7 Giovanni Fernando MUGLIZA CASTILLO,
8
9 Petitioner,

v.

10 Todd LYONS, Acting Director,
Immigration and Customs Enforcement; John
11 TSOUKARIS, Field Office Director of
Enforcement and Removal Operations, Newark
12 Field Office, Immigration and Customs
Enforcement; Kristi NOEM, Secretary, U.S.
13 Department of Homeland Security; U.S.
DEPARTMENT OF HOMELAND
14 SECURITY; Pamela BONDI, U.S. Attorney
General; EXECUTIVE OFFICE FOR
15 IMMIGRATION REVIEW; Luis SOTO,
16 Director, Delaney Hall Detention Facility,

17 Respondents.

Case No.

**PETITIONER'S EX PARTE
APPLICATION FOR
TEMPORARY RESTRAINING
ORDER AND ORDER TO SHOW
CAUSE**

PETITIONER'S DHS NUMBER:

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1 Pursuant to Rule 65(b)(1) of the Federal Rules of Civil Procedure, Petitioner hereby
2 moves the Court for emergency relief in the form of a temporary restraining order directing
3 Respondents to release Petitioner from his custody or to provide Petitioner with individualized
4 bond hearings before an immigration judge pursuant to 8 U.S.C. § 1226(a) within seven days of
5 issuance of an Order.

6 Petitioner also seeks a temporary restraining order enjoining the Respondents from
7 relocating Petitioner outside of the District of New Jersey pending final resolution of this case.

8 Petitioner further moves for the issuance of an order to show cause as to why a
9 preliminary injunction should not issue.

10 This application is supported by the Memorandum of Points and Authorities,
11 accompanying exhibits, as well as any additional submissions that may be considered by the
12 Court.

13 Undersigned counsel has contacted Assistant U.S. Attorney Alex D. Silagi
14 (alex.silagi@usdoj.gov) and Supervisory Assistant U.S. Attorney John Basiak
15 (john.basiak@usdoj.gov) to ascertain Respondents' position regarding the TRO and is awaiting
16 their reply.

17 DATED this 3rd of October, 2025.

/s/ Mei F. Chen
Attorney for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 3, 2025, I served a copy of this PETITIONERS' EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE by mail to the following individuals:

Kristi Noem
U.S. Department of Homeland Security
2801 Nebraska Avenue NW
Washington, D.C. 20528

John Tsoukaris
Enforcement and Removal Operations
Newark Field Office
970 Broad St. 11th Floor
Newark, NJ 07102

Yolanda Pittman
Elizabeth Detention Center
25 Evans Street
Elizabeth, NJ 07201

Pamela Bondi
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001

U.S. Attorney's Office
970 Broad Street, 7th Floor
Newark, NJ 07102

Civil Process Clerk
U.S. Attorney's Office
970 Broad Street, Suite 700
Newark, NJ 07102

A copy of this PETITIONERS' EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE, with all related filings was sent by electronic mail to Assistant U.S. Attorney Alex D. Silagi at alex.silagi@usdoj.gov and Supervisory Assistant United States Attorney John Basiak at john.basiak@usdoj.gov.

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/s/ Mei F. Chen
Mei F. Chen
Counsel for Petitioner

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IMMIGRATION REVIEW; Luis SOTO,
15 Director, Delaney Hall Detention Facility,
16

17 Respondents.

Case No. 2:25-cv-16219

PROPOSED ORDER

PETITIONER'S DHS NUMBER:



1 Before the Court is Petitioner’s Emergency Motion for a Temporary Restraining Order,
2 together with the accompanying exhibits. Upon consideration of the motion and the record
3 before it, and in order to preserve the status quo and prevent irreparable harm, the Court
4 **GRANTS** the Motion. The Court hereby **ORDERS** Respondents not to transfer Petitioner out of
5 the District of New Jersey, and further **ORDERS** Respondents to either release Petitioner from
6 custody or provide Petitioner with an individualized bond hearing before an immigration judge
7 pursuant to 8 U.S.C. § 1226(a) within seven (7) days of the issuance of this Order. The Court
8 also **ISSUES** an Order to Show Cause directing Respondents to demonstrate why a preliminary
9 injunction should not issue.

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11 U.S. District Judge
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