

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

JUAN MARIA CHIMBORAZO  
CUNIN,

Petitioner,

v.

BRIAN MCSHANE, in his official  
capacity as acting Philadelphia Field  
Office Director for U.S. Immigration and  
Customs Enforcement, KRISTI NOEM,  
in her capacity as Secretary for the  
United States Department of Homeland  
Security; PAMELA BONDI, in her  
official capacity as the Attorney General  
of the United States,

Respondents.

Case No. 3:25-cv-01887 KMN-SAC

**MOTION FOR TEMPORARY RESTRAINING ORDER AND  
PRELIMINARY INJUNCTION- ON NOTICE**

Petitioner Juan Maria Chimborazo Cunin respectfully requests, in accordance with Local Rule 5.1, that this Honorable Court grant a Temporary Restraining Order (“TRO”) and Preliminary Injunction against Respondents because, as demonstrated in the attached memorandum of law and other supporting documents, his detention by Respondents is unlawful. Petitioner

therefore requests an order enjoining Respondents from further detaining him.

**Compliance With Federal Rule of Civil Procedure Rule 65**

Petitioner's Counsel complied with Federal Rule of Civil Procedure 65(b)(1). Undersigned counsel contacted the United States Attorney's Office for the Middle District of Pennsylvania on their position on this Motion on December 9 and they intend to oppose this action.

Dated: New York, NY  
December 9, 2025

By: /s/ Paul Grotas  
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*pro hac vice admission*

By: /s/ Matthew J. Archambeault  
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*COUNSELS FOR PETITIONER*