

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

ALESSANDRA DE FATIMA LOMEU,  
*Petitioner,*

v.

LUIS SOTO,  
in his official capacity as Director/Warden of  
Delaney Hall Detention Facility;

JOHN TSOUKARIS,  
in her official capacity as Field Office Director,  
New Jersey Field Office, U.S. Immigration &  
Customs Enforcement;

PAMELA BONDI,  
in his official capacity as Attorney General, U.S.  
Department of Justice;

KRISTI NOEM,  
in his official capacity as Acting Secretary, U.S.  
Department of Homeland Security; and

TODD M. LYONS,  
in his official capacity as Acting Director, U.S.  
Immigration & Customs Enforcement;  
*Respondents.*

**Civil Action No.:**  
**2:25-cv-16589**

**MOTION TO SHOW CAUSE FOR  
CONTEMPT  
&  
FOR ENFORCEMENT  
OF  
TEMPORARY  
RESTRAINING ORDER**

Despite this Court's October 16, 2025, Order enjoining Respondents from transferring Petitioner Alessandra De Fatima Lomeu ("Ms. Lomeu"), Respondents transferred Ms. Lomeu to Houston Contract Detention Facility, 15850 Export Plaza Dr, Houston, TX 77032.

Ms. Lomeu respectfully petitions this Honorable Court for an Order to Show Cause for Contempt and Enforcement of the Temporary Restraining Order entered October 16, 2025, as follows:

**STATEMENT OF FACTS**

1. On October 2, 2025, and while attending a second mandated biometric appointment, Ms. Lomeu was detained by U.S. Immigration and Customs Enforcement (“ICE”) and thereafter, placed in Delaney Hall Detention Facility. *Exhibit A: Declaration of Counsel Alexandra Minogue, Esq. in Support of the Motion to Show Cause for Contempt & Enforcement of Temporary Restraining Order*, ¶ 3 (“*Exhibit A*”).
2. On October 6, 2025, Ms. Lomeu hired Nova Law Group, LLC, for the purposes of a habeas petition. *Id.* at ¶ 4.
3. On October 13, 2025, Ms. Lomeu filed a writ of habeas corpus pursuant to 28 U.S.C. § 2241 against Respondents; said petition evidenced Ms. Lomeu’s detention is unlawful and being held without the opportunity to be heard, lack of access to sanitary conditions, lack of proper medical attention, and punitive confinement conditions violates the Due Process Clause of the Fifth and Fourteenth Amendments. *Id.* at ¶ 4.
4. On October 15, 2025, the Court entered an Order to Answer.
5. Later that day, Ms. Lomeu’s U.S. Citizen spouse, Hudson Rodrigues Almeida (“Mr. Almeida”), urgently contacted Nova Law Group, LLC with a number of concerns evidencing the potentiality that Ms. Lomeu may be transferred to a differing facility or deported. *Id.* at ¶ 7.
6. In response to Mr. Almeida’s worrisome information, the undersigned filed a motion for temporary restraining order and amended petition for writ of habeas corpus pursuant to

28 U.S.C. § 2241 requesting the Court enjoin Respondents from continuing Ms. Lomeu's detention and enjoin Respondents from transferring Ms. Lomeu. *Id.* at ¶ 8.

7. On October 16, 2025, Federal District Judge Evelyn Padin entered a text order as follows:

The Court has reviewed Petitioner's Motion for Temporary Restraining Order and Amended Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241. D.E. 3. Pending a hearing on this matter, **Respondents are enjoined from transferring Petitioner outside this Court's jurisdiction.** Respondents shall file a response to the conditions of confinement allegations in Petitioner's Motion for a Temporary Restraining Order by **3:00 PM, 10/17/2025**. Respondents shall file a full Answer to the Amended Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241, and a response to the remaining allegations in Petitioner's Motion for a Temporary Restraining Order by **10/22/2025**. Petitioner may file a reply brief by **10/27/2025** of the filing of the answer.

*Exhibit B: 10/16/25 TRO ("Exhibit B").*

8. Later that evening, specifically at 7:24PM, the undersigned received an email from ICE stating "Client Transfer to a New ICE Detention Facility." *See, Exhibit C: Evidence of ICE Transfer ("Exhibit C")* Upon logging into an ERO eFile account, the undersigned received a formal notice that Ms. Lomeu, on 2025-10-16 19:23:39 (7:23PM), was transferred to Houston Contract Detention Facility. *Id.*

### **LEGAL FRAMEWORK**

9. A Federal District Court has the authority to require obedience to and to punish disobedience of its lawful orders. 18 U.S.C. 401; *First Sec. Natl. Bank & Trust Co. v United States*, 382 US 34, 34 (1965).
10. Moreover, a Federal District Court has an inherent power to sanction a litigant for bad-faith conduct. *Chambers v NASCO, Inc.*, 501 US 32, 42 (1991).
11. The valuable purposes for civil contempt sanctions are "to coerce the defendant into compliance with the court's order and to compensate for losses sustained by the disobedience." *McDonald's Corp. v Victory Inv.*, 727 F2d 82, 87 (3d Cir 1984).

12. For civil contempt to be found, the court must be satisfied that (1) a valid court order existed, (2) the defendants had knowledge of the order, and (3) defendants disobeyed that order. *Max's Seafood Cafe by Lou-Ann, Inc. v Quinteros*, 1997 US Dist LEXIS 23597, at \*15 [DNJ Dec. 18, 1997, Civ. No. 90-2137 (SSB)] (citing, *Harris v. City of Philadelphia*, 47 F.3d 1311, 1326 (3d Cir. 1995) (Harris I); *Roe v. Operation Rescue*, 919 F.2d 857, 871 (3d Cir. 1990)).
13. Upon a prima facie showing of a violation, the burden shifts to the Defendant who must evidence he/she made good faith all reasonable efforts to comply. *Harris*, 47 F.3d at 1324.
14. First, a valid temporary restraining order was entered by Federal District Court Judge Evelyn Padin. Said order, provided in part: Respondents are enjoined from transferring Petitioner outside this Court's jurisdiction. Respondents shall file a response to the conditions of confinement allegations in Petitioner's Motion for a Temporary Restraining Order by 3:00 PM, 10/17/2025. *Exhibit B*.
15. Second, Respondents' counsel were notified, by way of Pacer, of the temporary restraining order.
16. Third, Respondents' blatantly, and disturbingly in violation of Ms. Lomeu's constitutional rights, disobeyed the order by transferring Ms. Lomeu to Houston Contract Detention Facility. *Exhibit C*.
17. At the hands of Respondents, Ms. Lomeu has already endured a myriad of severely punitive conditions such as untimely blood pressure medications, and the lack of measuring blood pressure, causing potential deadly ramifications, untimely ovarian medication resulting in profuse, non-stop menstrual bleeding and pain, untimely meals and not being permitted to utilize the bathroom at night further exacerbating said symptoms, etc. Now, and without

any notice and in violation of the restraining order, Ms. Lomeu was dragged quite literally across the country to Texas and is being threatened with deportation as we speak.

18. Since 2005, Ms. Lomeu has called this country her *home*. She is a loving wife of eleven years to her U.S. Citizen husband, a dedicated stepmother to her U.S. Citizen daughters, a pillar of her community, and a law-abiding New Jersey resident.

19. Ms. Lomeu has meritorious pending I-130 family-based immigration petition and I-485 adjustment of status petition. She was taken into ICE custody at a second biometric appointment due to pure accessibility. Due to her likely very successful petitions and lack of criminal record, there was and is no reason for Ms. Lomeu's detainment. Even further, and because of the unconstitutional *Matter of Yajure-Hurtado*, 29 I&N Dec. 216 (BIA 2025), Ms. Lomeu is subject to mandatory detention pending the processing of her petitions. While in custody and being that this administration fails to follow well-established immigration statutes and case law, Ms. Lomeu will continual to endure punitive conditions, risk of further transfers, and risk of deportation. Upon transferring Ms. Lomeu in violation of Federal District Judge Evelyn Padin's temporary restraining order, Respondents demonstrated the continual, blatant disregard for Ms. Lomeu's due process rights and even for the deliberate indifference towards her overall health and safety.

### **PRAYER FOR RELIEF**

WHEREFORE, Petitioner respectfully requests that this Court:

1. Enforcement of the temporary restraining order by the immediate transfer of Ms. Lomeu back to the State of New Jersey;
2. Upon return to New Jersey, the immediate release of Ms. Lomeu from ICE Custody;

3. Find Respondents in contempt of the temporary restraining order entered on October 16, 2025;
4. Subject Respondents to sanctions due to their blatant disregard for the temporary restraining order entered on October 16, 2025; and
5. Order any such other relief as this Court deems just and proper.

Dated: 10/16/25

Respectfully Submitted,



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Alexandra Minogue, Esq.  
NJ Bar ID: 479582024  
Nova Law Group  
21 Fulton Street  
Newark, NJ 07102  
E: [aminogue@nova.law](mailto:aminogue@nova.law)  
P: 844-844-6682  
*Counsel for Petitioner*

**CERTIFICATE OF SERVICE**

I, undersigned counsel, hereby certify that on this date, I filed this Petition for Writ of Habeas Corpus and all attachments using the PACER system.

Dated: 10/16/25

Respectfully Submitted,



---

Alexandra Minogue, Esq.  
NJ Bar ID: 479582024  
Nova Law Group  
21 Fulton Street  
Newark, NJ 07102  
E: [aminogue@nova.law](mailto:aminogue@nova.law)  
P: 844-844-6682  
*Counsel for Petitioner*

# **EXHIBIT A**

**Declaration of Counsel Alexandra Minogue, Esq. in Support of the Motion to Show Cause for Contempt & Enforcement of Temporary Restraining Order**

1. I, Alexandra Minogue, Esq., of Nova Law Group, LLC, am a barred attorney by the New Jersey Supreme Court (NJ Bar ID: 479582024) and New Jersey Federal District Court.
2. I make this affidavit in support of the instant motion to show cause for contempt and enforcement of the temporary restraining order Federal District Judge Evelyn Padin on October 16, 2025.
3. On October 2, 2025, and while attending a second mandated biometric appointment, Ms. Alessandra De Fatima Lomeu was detained by U.S. Immigration and Customs Enforcement (“ICE”) and thereafter, placed in Delaney Hall Detention Facility.
4. On October 6, 2025, Ms. Alessandra De Fatima Lomeu (“Ms. Lomeu”) hired Nova Law Group, LLC for the purposes of a habeas petition.
5. On October 13, 2025, I, on behalf of Ms. Lomeu, filed a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241 against the aforementioned Respondents. Within said petition, I advocated that Ms. Lomeu’s detention is unlawful and being held without the opportunity to be heard, lack of access to sanitary conditions, lack of proper medical attention, and punitive confinement conditions violates the Due Process Clause of the Fifth and Fourteenth Amendments.
6. On October 15, 2025, the Court entered an Order to Answer.
7. Later that day, Ms. Lomeu’s U.S. Citizen spouse, Hudson Rodrigues Almeida, urgently contacted Nova Law Group, LLC shared a number of concerns evidencing the potentiality that Ms. Lomeu may be transferred to a differing facility or deported.
8. Urgently, and on October 15, 2025, I, on behalf of Ms. Lomeu, filed a motion for temporary restraining order and amended petition for writ of habeas corpus pursuant to 28 U.S.C. §

2241 requesting the Court enjoin Respondents from continuing Ms. Lomeu's detention and enjoin Respondents from transferring Ms. Lomeu.

9. On October 16, 2025, Federal District Judge Evelyn Padin entered a text order as follows:

The Court has reviewed Petitioner's Motion for Temporary Restraining Order and Amended Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241. D.E. 3. Pending a hearing on this matter, **Respondents are enjoined from transferring Petitioner outside this Court's jurisdiction.** Respondents shall file a response to the conditions of confinement allegations in Petitioner's Motion for a Temporary Restraining Order by **3:00 PM, 10/17/2025**. Respondents shall file a full Answer to the Amended Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241, and a response to the remaining allegations in Petitioner's Motion for a Temporary Restraining Order by **10/22/2025**. Petitioner may file a reply brief by **10/27/2025** of the filing of the answer.

10. Later that evening, specifically at 7:24PM, I received an email from ICE stating "Client Transfer to a New ICE Detention Facility." See Exhibit C: Evidence of ICE Transfer. Upon logging into my ERO eFile account, I received a formal notice that Ms. Lomeu on 2025-10-16 19:23:39 (7:23PM), was transferred to Houston Contract Detention Facility. *Id.*

11. This transfer is in direct violation of the Order entered by Federal District Judge Evelyn Padin, evidence of further unconstitutional wrongdoings by Respondents, and necessitates Ms. Lomeu's immediate release from ICE Custody.

**I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.**

**DATED: 10/16/25**

*Alexandra Minogue*

**ALEXANDRA MINOGUE, ESQ.**

# **EXHIBIT B**

**U.S. District Court  
District of New Jersey [LIVE] (Newark)  
CIVIL DOCKET FOR CASE #: 2:25-cv-16589-EP**

DE FATIMA LOMEU v. SOTO et al  
Assigned to: Judge Evelyn Padin  
Cause: 28:2241 Petition for Writ of Habeas Corpus (federa

Date Filed: 10/13/2025  
Jury Demand: None  
Nature of Suit: 463 Habeas Corpus - Alien  
Detainee  
Jurisdiction: U.S. Government Defendant

**Petitioner**

**ALESSANDRA DE FATIMA LOMEU**

represented by **ALEXANDRA MINOGUE**  
21 Fulton St  
Nova Law Firm  
Newark, NJ 07102-4506  
201-283-2126  
Email: alex.minogue697@gmail.com  
*ATTORNEY TO BE NOTICED*

V.

**Respondent**

**LUIS SOTO**

*in his official capacity as Director/Warden  
of Delaney Hall Detention Facility*

represented by **FRANCES C. BAJADA**  
OFFICE OF THE U.S. ATTORNEY  
970 BROAD STREET  
NEWARK, NJ 07102  
973-297-2038  
Email: frances.bajada@usdoj.gov  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**JOHN FRANCIS BASIAK**  
U.S. ATTORNEY'S OFFICE  
402 E. STATE STREET, ROOM 430  
TRENTON, NJ 08608  
(609) 858-0309  
Email: john.basiak@usdoj.gov  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**Respondent**

**JOHN TSOUKARIS**

*in his official capacity as Field Office  
Director, New Jersey Field Office, U.S.  
Immigration & Customs Enforcement*

represented by **FRANCES C. BAJADA**  
(See above for address)  
*LEAD ATTORNEY  
ATTORNEY TO BE NOTICED*

**JOHN FRANCIS BASIAK**  
(See above for address)

LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**Respondent**

**PAMELA BONDI**

*in her official capacity as Attorney General,  
 U.S. Department of Justice*

represented by **FRANCES C. BAJADA**  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**JOHN FRANCIS BASIAK**  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**Respondent**

**KRISTI NOEM**

*in her official capacity as Acting Secretary,  
 U.S. Department of Homeland Security*

represented by **FRANCES C. BAJADA**  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**JOHN FRANCIS BASIAK**  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**Respondent**

**TODD M LYONS**

*in his official capacity as Acting Director,  
 U.S. Immigration & Customs Enforcement*

represented by **FRANCES C. BAJADA**  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

**JOHN FRANCIS BASIAK**  
 (See above for address)  
 LEAD ATTORNEY  
 ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/13/2025	<a href="#">1</a>	PETITION for Writ of Habeas Corpus ( Filing fee \$ 5 receipt number ANJDC-16726887.), filed by ALESSANDRA DE FATIMA LOMEU. (Attachments: # <a href="#">1</a> Civil Cover Sheet Civil Cover Sheet)(MINOGUE, ALEXANDRA) (Entered: 10/13/2025)
10/14/2025		Case Assigned to Judge Evelyn Padin. (ps) (Entered: 10/14/2025)
10/15/2025	<a href="#">2</a>	ORDER TO ANSWER; that the Clerk of the Court shall serve a copy of the Petition, D.E. <a href="#">1</a> , and this Order upon Respondents by regular mail; that the Clerk of the Court shall forward a copy of the Petition, <a href="#">1</a> , and this Order to the Chief, Civil Division, United States Attorney's Office, at the following email address: USANJ-HabeasCases@usdoj.gov; that, pursuant to Habeas Rule 4, within seven (7) days of the date of the entry of this Order, Respondents shall electronically file a full and complete answer to said Petition, which responds to the factual and legal allegations of the Petition. Signed by Judge Evelyn Padin on 10/15/2025. (adc) Modified on 10/16/2025 (adc). (Entered: 10/15/2025)

10/15/2025	<u>3</u>	MOTION for Temporary Restraining Order by ALESSANDRA DE FATIMA LOMEU. (MINOGUE, ALEXANDRA) (Entered: 10/15/2025)
10/16/2025		Set Deadlines as to <u>3</u> MOTION for Temporary Restraining Order. Motion set for 11/17/2025 before Judge Evelyn Padin. Unless otherwise directed by the Court, this motion will be decided on the papers and no appearances are required. Note that this is an automatically generated message from the Clerk`s Office and does not supersede any previous or subsequent orders from the Court. (adc, ) (Entered: 10/16/2025)
10/16/2025	4	TEXT ORDER: The Court has reviewed Petitioner's Motion for Temporary Restraining Order and Amended Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241. D.E. <u>3</u> . Pending a hearing on this matter, Respondents are enjoined from transferring Petitioner outside this Court's jurisdiction. Respondents shall file a response to the conditions of confinement allegations in Petitioner's Motion for a Temporary Restraining Order by <b>3:00 PM, 10/17/2025</b> . Respondents shall file a full Answer to the Amended Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241, and a response to the remaining allegations in Petitioner's Motion for a Temporary Restraining Order by <b>10/22/2025</b> . Petitioner may file a reply brief by <b>10/27/2025</b> of the filing of the answer. So Ordered by Judge Evelyn Padin on 10/16/2025. (bt) (Entered: 10/16/2025)

<b>PACER Service Center</b>			
<b>Transaction Receipt</b>			
10/16/2025 20:46:32			
<b>PACER Login:</b>	alexandra.minogue	<b>Client Code:</b>	
<b>Description:</b>	Docket Report	<b>Search Criteria:</b>	2:25-cv-16589-EP Start date: 1/1/1980 End date: 10/16/2025
<b>Billable Pages:</b>	3	<b>Cost:</b>	0.30

# **EXHIBIT C**



Alex Minogue <alex.minogue697@gmail.com>

## ERO eFile Detainee Transfer Notification

Service Desk, ICE <ice.servicedesk@ice.dhs.gov>  
Reply-To: "Service Desk, ICE" <ice.servicedesk@ice.dhs.gov>  
To: alex.minogue697@gmail.com

Thu, Oct 16, 2025 at 7:24 PM



U.S. Immigration  
and Customs  
Enforcement



ERO has an automated notification regarding your client.

### Notice Type: Client Transfer to a New ICE Detention Facility

Please log into your [ERO eFile](#) account to view the details about your client.

**WARNING:** This e-mail/meeting (and any associated files and/or attachments) is FOR OFFICIAL USE ONLY. The e-mail/meeting may involve information that may be exempt from public release under the Freedom of Information Act (5 U.S.C. 552). Documents or information derived from this meeting is to be controlled, handled, transmitted, distributed, and disposed of in accordance with DHS policy relating to SENSITIVE BUT UNCLASSIFIED information and is not to be released to the public or other personnel who do not have a valid need to know without prior approval from the originator. Sharing details of this e-mail/meeting with email addresses external to government controlled domains, is strictly prohibited.

Ref:MSG63836366

ERO eFile Notifications	
<b>ERO eFile Notifications</b>	
Date of Transfer	AOR
2025-10-16 19:23:39	HOU
Client First Name	Notification Type
ALESSANDRA	Detainee Transfer
Client Last Name	New Detention Location
LOMEU	HOUSTON CONTRACT DETENTION FACILITY
G-28 Number	Representative Email
	alex.minogue697@gmail.com
	Representative Name
	 Alexandra Minogue