

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF OKLAHOMA**

Zhe Min Jin,

Case No.: 25-CV-01232-JD

Petitioner

v.

**PETITIONER'S EMERGENCY
MOTION FOR TEMPORARY
RESTRAINING ORDER UNDER
FRCP 65(b) AND PRELIMINARY
INJUNCTION UNDER FRCP 65(a)**

Pamela Bondi, Attorney General; Kristi Noem, Secretary of Homeland Security; Todd M. Lyons, Acting Director of U.S. Immigration & Customs Enforcement; Marcos Charles, Acting Executive Associate Director for Enforcement and Removal Operations; Mark Siegel, Field Office Director for Enforcement and Removal Operations; U.S. Immigration & Customs Enforcement; U.S. Department of Homeland Security; Scarlet Grant, Warden of Cimarron Correctional Facility.

**EXPEDITED HANDLING
REQUESTED**

Respondents.

**PETITIONER'S EMERGENCY MOTION FOR TEMPORARY RESTRAINING
ORDER AND PRELIMINARY INJUNCTION WITH EXPEDITED HANDLING**

Mr. Zhe Min Jin ("Petitioner"), pursuant to 28 U.S.C. § 2241, the Fifth Amendment of the United States Constitution, 8 U.S.C. §§ 1101 *et seq.* ("the INA"), 5 U.S.C. §§ 702 *et. seq.* (the "APA"), Rule 65(a)-(b) of the Federal Rules of Civil Procedure, 28 U.S.C. § 1657 with reference to 28 U.S.C. Ch. 153, and 28 U.S.C. § 1651 ("All Writs Act") moves the Court for entry of a Temporary Restraining Order and Preliminary Injunction enjoining Respondents, and all persons acting on Respondents' behalf, from continuing to

infringe on Petitioner's constitutional rights by continuing to detain Petitioner, or taking any other related enforcement action against Petitioner.

Petitioner moves the Court to temporarily enjoin Respondents from attempting to move Petitioner from the State of Oklahoma during this petition.

Petitioner moves the Court to order Respondents to provide 72-hour notice of any intended movement of Jin pending the adjudication of Jin's habeas corpus petition.

Petitioner moves the Court for an emergency preliminary order requiring Respondents to give Jin due process prior to removing him to an allegedly safe third country in the form of a full merits hearing for asylum, withholding of removal, and DCAT before an immigration judge relating to the proposed country of removal with a right to an administrative appeal to the Board of Immigration Appeals.

Petitioner is concurrently filing an accompanying Memorandum of Law that fully sets forth the reasons this Motion must be granted.

The moving party does not intend at this time to present witness testimony at an evidentiary hearing, as it is believed this matter can be disposed of most efficiently on the papers.

Petitioner's counsel is concurrently filing a Meet and Confer statement that certifies in writing why this TRO motion may be granted without notice to the government under Fed. R. Civ. P. 65(b)(1)(B).

WHEREFORE, Petitioner prays that this Court grant his request for a temporary restraining order and preliminary injunction.

DATED: October 17, 2025

Respectfully submitted,

RATKOWSKI LAW PLLC

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