

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

)
)
)
ANDRES ALONSO
CERVANTES-MARTINEZ,
A 
Petitioner,

Case No. 1:25-cv-236

v.

)
)
WARDEN FOR THE PORT ISABEL
DETENTION CENTER; TODD M.
LYONS, Acting Director, U.S.
Immigration and Customs Enforcement;
IMMIGRATION AND CUSTOMS
ENFORCEMENT; PAMELA JO BONDI,
U.S. Attorney General,
Respondents.

**PETITIONER'S MOTION FOR
TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION**

Petitioner Andres Alonso Cervantes-Martinez is a native and citizen of Peru who entered the United States in 2022. At that time, he was apprehended by immigration officials and placed in expedited removal proceedings under 8 U.S.C. § 1225(b)(1). However, those proceedings have been riddled with error and the resulting expedited removal order is unenforceable. As explained in the memorandum of law filed contemporaneously with this motion, Mr. Cervantes-Martinez does not currently have an enforceable expedited removal order, and therefore, requests that this Court grant an emergency temporary restraining order and preliminary injunction precluding his

removal from the United States pending full consideration of his habeas claim as well as an order that he be released from detention where the government has no executable removal order.¹

Should the Court order a hearing on this motion, undersigned counsel respectfully requests to participate remotely in that hearing, as she is located in Denver, Colorado and her law firm is based in Falls Church, Virginia.

October 21, 2025

Respectfully submitted,

/s/ Jessica A. Dawgert

JESSICA A. DAWGERT
SDTX Bar 1384851
Blessinger Legal, PLLC
7389 Route 29, Suite 320
Falls Church, VA 22042
(703)738-4248
jdawgert@blessingerlegal.com

¹ Undersigned counsel will be filing an amended petition for a writ of habeas corpus to address the claims raised in this motion.