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25-13310
(New case)

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

FILED
OCT 21 2025
CLERK'S OFFICE
DETROIT

GURMAN SINGH, Petitioner

vs

KEVIN RAYCRAFT, in his official capacity as Immigration and Customs Enforcement (ICE),
Acting Director of the Detroit Field Office, Respondent

MOTION FOR TEMPORARY RESTRAINING ORDER

Gurman Singh ("Movant"), *Pro se*, respectfully requests liberal construction and hereby moves this Court for a Temporary Restraining Order based on the underlying verified Petition for a writ of habeas corpus. He seeks this extraordinary expedited relief because of the severe harms caused by the continued unlawful detention by the United States Immigration and Customs Enforcement ("ICE"). In support of this motion, movant fully and expressly incorporates the contents of his Petition for writ of Habeas Corpus previously filed.

LEGAL STANDARD

This Court has recently held:

"A Court may issue a temporary restraining order without notice to the adverse party only if the movant sets forth "specific facts...clearly show[ing] that immediate and irreparable injury, loss, or damage will result to the movant before the adverse party can be heard in opposition" and if "the movant's attorney certifies in writing any efforts made to give notice and the reasons why it should not be required." Fed. R. Civ. P. 65(b) (1).

"[T]he purpose of a [temporary restraining order] under Rule 65 is to preserve the status quo so that a reasoned resolution of a dispute may be had." In determining whether to grant such relief, the Court must weigh four factors: "(1) whether the movant has a

strong likelihood of success on the merits, (2) whether the movant would suffer irreparable injury absent preliminary injunctive relief, (3) whether granting the preliminary injunctive relief would cause substantial harm to others, and (4) whether the public interest would be served by granting the preliminary injunctive relief. "The standard for issuing a temporary restraining order is logically the same as for a preliminary injunction with emphasis, however, on irreparable harm given that the purpose of a temporary restraining order is to maintain the status quo."

Kaat v. Kingsbrook LLC, 2023 US Dist LEXIS 435832023 U.S. Dist. LEXIS 43583 (E.D Mich 2023) (internal citation and quotes omitted)

Movant served the Respondent as indicated in his Certificate of Service, but nevertheless requests an Ex-Parte ruling due to the severity of the harms he continues to suffer.

Movant meets all the factors:

(1) Likelihood of success on the merits

Several District Courts across the country, including this one, have recently been dealing with this very issue and consistently granting relief .e.g *Reyes v. Raycraft*, 2025 WL 2609425 (E.D Mich Sept 8, 2025); *Lopez-Campos v. Raycraft*, 2025 WL 2496379 (E.D Mich August 28, 2025); *Kumar v. Wamsley*, 2025 WL 2677089 (W.D Washington September 17, 2025). Petitioner is similarly situated as the Petitioners in *Reyes* and *Lopez-Campos* and meets all the factors considered.

A. Waiver of Administrative Exhaustion is Warranted

This Court has already waived the exhaustion requirements in similar proceedings. i.e: *Lopez-*

Campos; Reyes finding:

"Waiver is appropriate when the interests of the individual weigh heavily against requiring administrative exhaustion, or exhaustion would be futile and unable to afford the petitioner the relief he seeks...Exhaustion is also excused when delay means hardship...Any delay results in the very harm [Petitioner] is trying to avoid...--detention...Aside from the waiver...a due process challenge generally does not require exhaustion...When the liberty of a person is at stake, every day that passes is a critical one...and the court cannot fault [Petitioner] for taking appropriate measures to pursue his claims through the habeas process with the expectation that his claims would be met with a sense of urgency, and he would receive a decision in a more expedient manner."

Lopez-Campos. (citations and quotes omitted).

B. Due Process

This Court has also already found in *Lopez-Campos* that continued detention under similar circumstances is a "violation of due process" holding that "[f]reedom from imprisonment from government custody, detention, or other forms of physical restraint--lies at the heart of the very liberty that [the Due Process Clause] protects."

Petitioner also meets the 3 *Matthew* factors outlined in the Court's decision:

1. His liberty is at stake.
2. The risk of continued erroneous deprivation of liberty is not only high but ongoing.
3. The Government "has not and likely cannot show that it has a significant interest in [Petitioner's] continued detention."

(2) Irreparable injury absent preliminary injunctive relief

Several Courts have also already held similarly situated Petitioners meet this factor. Petitioner

continues to suffer immense, irreparable injury in continued detention. The unlawful detention of physical liberty is the quintessential irreparable harm.

"It is well established that the deprivation of constitutional rights unquestionably constitutes irreparable injury...When an alleged deprivation of a constitutional right is involved, most courts hold that no further showing of irreparable injury is necessary....[When] [a] Petitioner is re-detained without a pre-detention hearing before a neutral decisionmaker, the deprivation of liberty that Petitioner faces is likely unconstitutional and is an immediate and irreparable harm." *Oliveros*.

This harm is precisely what petitioner continues to endure each day; it is not speculative but ongoing this very minute and will not stop absent the swift intervention of this Court.

Moreover, as this Court has found in the exhaustion context above, further unnecessary detention and inability to mount a successful defense constitute irreparable harms. *Lopez-Campos; Reyes*.

(3) Granting the preliminary injunctive relief would not cause substantial harm to the government

Courts have already found that similarly situated defendants without the requested preliminary injunctive relief, further detention continues to pose a significant threat to Petitioner's health and liberty interest. Respondents risk only a short delay in detaining Petitioner if Respondents ultimately show that detention is warranted.

(4) The public interest would be served by granting the preliminary injunctive relief

The public has an interest in the orderly and efficient administration of this country's

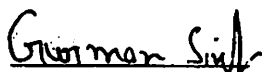
immigration laws but also a strong interest in upholding procedural protections against unlawful detention...Furthermore, the government has no legitimate interest in detaining individuals who have been determined not to be a danger to the community and whose appearance at future immigration proceedings can be reasonably ensured by a lesser bond or alternative conditions." *Oliveros*.

PRAYERS FOR RELIEF

In view of above circumstances, Movant respectfully requests the same relief requested in his Habeas Petition and by other similarly situated Petitioners, and consistently granted by the courts -- Orders requiring the Respondent, his agents and employees to:

1. Immediately release him from custody.
2. Be enjoined and restrained from re-detaining Petitioner without notice and a pre-deprivation hearing before a neutral decisionmaker where the Government bears the burden of proving by clear and convincing evidence that changed circumstances render him a danger to the community or a flight risk, and that no conditions other than his detention would be sufficient to prevent such harms.
3. Return his seized property including Driver's License, Employment Authorization Document and Social Security Card; and
4. Such other relief as may be just and appropriate, including costs, expenses and reasonable attorney fees.

I affirm, under penalty of perjury, that the foregoing is true and correct.



Petitioner

October 13, 2025

Gurman Singh A 
Calhoun County Jail
185 E Michigan Ave
Battle Creek, MI 49014

Certificate of Service

Petitioner hereby certifies that on this 13 Day of October, 2025 he submitted to the Detention Center Officers a true copy of this **MOTION FOR TEMPORARY RESTRAINING ORDER** for mailing via USPS in a postage pre-paid envelope addressed to the:

United States District Court
Eastern District of Michigan,
231 West Lafayette Blvd Room 599
Detroit MI 48226

for electronic filing which will automatically notify all parties of record;

and another true copy in a postage-prepaid envelope addressed to:

Kevin Raycraft
ICE Detroit Field Office
985 Michigan Ave Suite 207
Detroit MI 48226

Respectfully Submitted

Gurman Singh

Gurman Singh A 
Calhoun County Jail
185 E Michigan Ave
Battle Creek, MI 49014