

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

JOSE ADOLFO GALDAMEZ MARTINEZ
(A )

Petitioner

Case No. 25-cv-1373

v.

KRISTI NOEM, in her official capacity as
U.S. Secretary of Homeland Security;
PAMELA BONDI, in her official capacity as
Attorney General of the United States;
MIGUEL VERGARA, in his official capacity
as Field Director of the ICE San Antonio
Field Office; ROSE THOMPSON, in her
official capacity as the Warden for Karnes
County Immigration Processing Center,

Respondents

**MOTION FOR TEMPORARY
RESTRAINING ORDER OR
PRELIMINARY INJUNCTION**

On October 26, 2025, Petitioner Jose Adolfo Galdamez Martinez (“Mr. Galdamez”) filed a petition for a writ of habeas corpus on the basis that his immigration detention violates the Immigration and Nationality Act as well as his substantive and procedural due process rights. *See* ECF Doc. 1. For the reasons discussed in the accompanying memorandum of law, Mr. Galdamez now seeks a temporary restraining order or a preliminary injunction ordering that he be released from physical custody, or in the alternative, that he be afforded a standard bond hearing pursuant to 8 U.S.C. § 1226(a). Accordingly, Mr. Galdamez moves under Federal Rule of Civil Procedure 65 for the following order:

1. Declare that 8 U.S.C. § 1226(a) governs Mr. Galdamez’s detention by U.S. immigration authorities;

2. Order that Mr. Galdamez be released from immigration custody or, alternatively, afforded a bond hearing as authorized under 8 U.S.C. § 1226(a) at which 8 U.S.C. § 1225(b)(2)(A) cannot be applied, DHS bears the burden of proof, and the immigration judge consider his ability to pay bond as part of the factors in setting bond; and

3. Grant further and additional relief as the Court deems just and appropriate.

If a hearing is set on this motion or the petition itself, as Mr. Galdamez's pro hac vice attorney is out-of-state, undersigned counsel for Mr. Galdamez respectfully moves the Court to allow for counsel's remote participation.

Respectfully submitted this 28th day of October, 2025

/s/ Jessica Dawgert
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Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on 10/28/2025, I filed the foregoing motion with the CM/ECF system, and sent a courtesy copy to the U.S. Attorney's Office for the Western District of Texas via e-mail.

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