

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

FRANCISCO JUAREZ VELAZQUEZ,

*Petitioner,*

v.

No. 2:25-cv-6191

DAVID O'NEILL, in his official capacity as ICE Deputy Field Office Director, KRISTI NOEM, in her official capacity as Secretary of Homeland Security, and TODD M. LYONS, in his official capacity as Acting Director of Immigration and Customs Enforcement, JAMAL LAWRENCE, Warden of the Philadelphia Federal Detention Center, and PAMELA BONDI, in her official capacity as Attorney General of the United States,

*Respondents.*

**RESPONSE IN OPPOSITION TO MOTION FOR TEMPORARY RESTRAINING ORDER**

On October 29, 2025, Immigration and Customs Enforcement (ICE) placed Petitioner Francisco Juarez Velazquez ("Petitioner" or "Juarez Velazquez") in removal proceedings and detained him pursuant to 8 U.S.C. § 1225(b)(2). On October 30, 2025, Juarez Velazquez filed a Petition for Writ of Habeas Corpus ("Petition"). ECF No. 1. Per a stipulation by the parties and an Order from this Court, the government filed its response to the Petition, with its merits analysis, on November 19, 2025. ECF Nos. 6-8. On November 20, 2025, the government supplemented its filing with a letter notifying this Court of two adverse rulings on

this issue from the Eastern District of Pennsylvania. ECF No. 10. Since that date, judges in this District have rendered further adverse rulings against the government in the following matters: *Centeno Ibarra v. Warden of the Federal Detention Center, et al.*, No. 25-cv-6312 (E.D. Pa. Nov. 25, 2025) (Rufe, J.); *Buele Morocho v. Jamison, et al.*, No. 25-cv-5930 (E.D. Pa. Nov. 26, 2025) (Gallagher, J.); *Espinal Rosa v. O'Neill, et al.*, 25-cv-6376 (E.D. Pa. Nov. 25, 2025) (Weilheimer, J.); *Diallo v. O'Neill, et al.*, 25-cv-6358 (E.D. Pa. Nov. 26, 2025) (Savage, J.); *Wu v. Jamison, et al.*, 25-cv-6469 (E.D. Pa. Dec. 1, 2025) (Gallagher, J.); *Valdivia Martinez v. Rose, et al.*, 25-cv-6568 (E.D. Pa. Dec. 1, 2025) (Savage, J.); *Flores Obando v. Bondi, et al.*, 25-cv-6474 (E.D. Pa. Dec. 1, 2025) (Brody, J.)

In both Juarez Velazquez's Petition and the instant Motion for Temporary Restraining Order ("TRO"), he seeks immediate release or, in the alternative, a speedy bond hearing. The most significant factor in seeking a temporary restraining order (TRO) is the likelihood of success on the merits. The government's argument is a straight statutory analysis in support of its position. The government presented its full merits analysis in its response to the Petition and relies on the same argument in response to the motion for TRO.

Should this Court reject the government's statutory interpretation and rule that Petitioner is likely to succeed on the merits and a TRO is appropriate, this Court can proceed to decide the merits of the petition in the same ruling. Similarly, should this Court accept the government's statutory interpretation and rule that Petitioner is not likely to succeed on the merits of his claim, either because this

**CERTIFICATE OF SERVICE**

I hereby certify that, on this date, I filed the foregoing Response in Opposition to Motion for Temporary Restraining Order via the Court's Case Management/Electronic Case Filing System, thereby making it available for viewing and download by all parties to the case.

*s/ Neelima Vanguri*  
Neelima Vanguri  
Assistant United States Attorney

Dated: December 2, 2025