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**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

Ronilton MOREIRA DA SILVA,



Petitioner,

v.

James LAFORGE, et al.,

Respondents.

Case No. 2:25-cv-17095 (EP)

**EMERGENCY MOTION TO
ENFORCE COURT ORDER AND FOR
IMMEDIATE RELEASE**

NOTICE OF MOTION

TO: The Clerk of Court and Counsel for Respondents.

PLEASE TAKE NOTICE that Petitioner, Ronilton Moreira da Silva, by and through his undersigned counsel, hereby moves this Honorable Court for an Order: (1) enforcing the Court's November 13, 2025 Memorandum Order (D.E. 6); (2) enforcing the Immigration Judge's Order of Release Upon Bond; and (3) compelling the immediate release of Petitioner from the custody of U.S. Immigration and Customs Enforcement (ICE).

In support of this Motion, Petitioner relies upon the accompanying Memorandum of Law, the exhibits attached thereto, and all prior pleadings and orders in this matter.

MEMORANDUM OF LAW IN SUPPORT OF MOTION

I. INTRODUCTION

Petitioner Ronilton Moreira da Silva has been granted bond by an Immigration Judge (IJ) pursuant to this Court's Order, and the required bond amount of **\$8,500.00** was paid to the


Department of Homeland Security (DHS) over twenty-four hours ago. Despite the granted and paid bond, Petitioner remains inexplicably detained by Respondents, and without the Court's urgent intervention will likely be held over the weekend as well.

This continued detention is in direct contravention of the Immigration Judge's lawful custody determination, the express mandate of 8 U.S.C. § 1226(a), and the intent of this Court's Memorandum Order. Accordingly, Petitioner respectfully requests that this Court intervene to enforce the terms of the bond and secure his immediate release.

II. FACTUAL BACKGROUND


1. On November 13, 2025, this Court, the Honorable Evelyn Padin, U.S.D.J., issued a Memorandum Order (D.E. 6) *GRANTING* Petitioner's Verified Petition for Writ of Habeas Corpus, finding his detention was authorized only under 8 U.S.C. § 1226(a) and *ORDERING* that Respondents "shall provide Petitioner with an individualized bond hearing within 7 days of this Order." (Memorandum Order, D.E. 6, p. 3).

2. In compliance with the Court's Order, an individualized custody redetermination hearing was held before Immigration Judge Ramin Rastegar on November 18, 2025.

3. On November 18, 2025, the Immigration Judge issued an Order of the Immigration Judge (IJ Order) *GRANTING* the request and ordering Petitioner "released from custody under bond of **\$8,500.00**." (Ex. A: IJ Order, , 11/18/2025).

4. As reported to this Court by Respondents, the IJ granted bond on November 18, 2025. (AUSA Update to Ct., D.E. 7, 11/20/2025).

5. On **November 20, 2025**, the required \$8,500.00 bond was posted and accepted by U.S. Immigration and Customs Enforcement (ICE). (Ex. B: Proof of Bond Payment, Form I-352).

6. As of the filing of this Motion on November 21, 2025, Petitioner Ronilton Moreira da Silva,  remains in ICE custody despite the Immigration Judge's order and the accepted payment of the full bond amount.

7. Neither Petitioner's counsel nor Petitioner has received any explanation from ICE for the continued, unauthorized detention.

III. ARGUMENT

The Immigration and Nationality Act (INA) is clear: once a bond is set and paid, the detained individual must be released. 8 U.S.C. § 1226(a) governs the Petitioner's detention, and the regulations governing custody redeterminations explicitly contemplate release upon the posting of bond.

The Immigration Judge's Order, issued pursuant to the authority granted by this Court in its November 13, 2025 Order, is a lawful administrative determination that Petitioner is eligible for, and entitled to, release upon the posting of a bond.

The refusal of Respondents to release the Petitioner immediately upon the acceptance of the bond payment constitutes arbitrary and capricious action, transforming what was deemed a legal detention under § 1226(a) into an unlawful, continued deprivation of liberty.


By holding the Petitioner beyond the time necessary to process the routine paperwork following the payment of the bond, Respondents are effectively challenging both the Immigration Judge's discretionary decision and this Court's prior finding that Petitioner is entitled to a release determination. A bond is security for appearance, not a fine or a penalty. Once the bond is paid, the condition for release has been met.

This Court possesses the authority under the All Writs Act, 28 U.S.C. § 1651, and its inherent power to enforce its own orders, to compel Respondents to comply with the IJ's order, which arose directly from the grant of the habeas petition. The continued, unjustified detention of Petitioner constitutes a continuing constitutional violation and an abuse of administrative discretion that demands immediate judicial remedy.

IV. CONCLUSION AND RELIEF SOUGHT

For the foregoing reasons, Petitioner Ronilton Moreira da Silva respectfully requests that this Court enter an Order:

A. **GRANTING** this Motion to Enforce Court Order and for Immediate Release;

B. **ORDERING** Respondents, U.S. Immigration and Customs Enforcement, to **immediately release** Petitioner Ronilton Moreira da Silva  upon receipt of this Order; and


C. **ORDERING** Respondents to show cause why they should not be held in contempt for failing to effectuate the Petitioner's release after the bond was paid.

Dated: November 21, 2025

Respectfully submitted,

/s/ Karen Hoffmann, Esq.
Karen Hoffmann, Esquire.

Attorney for Petitioner

EXHIBIT	DOCUMENT DESCRIPTION
A	Order of the Immigration Judge (Ronilton Moreira da Silva,  dated 11/18/2025)
B	Proof of Bond Payment (ICE Form I-352)