

UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

P.B., )  
)  
Petitioner, )  
)  
v. )  
)  
THOMAS BERGAMI, Warden, Prairieland )  
Detention Center; )  
JOSHUA JOHNSON, Field Office Director, )  
Dallas Field Office, U.S. Immigration and )  
Customs Enforcement )  
KRISTI NOEM, Secretary of the )  
U.S. Department of Homeland Security; )  
PAMELA BONDI, Attorney General of the )  
United States, in their official capacities )  
)  
Respondents. )  
)

CIVIL ACTION NO. 3:25-cv-2978

MOTION FOR TEMPORARY RESTRAINING ORDER

Petitioner, P.B., by and through her attorneys, respectfully moves the Court for a temporary order restraining Respondents, Thomas Bergami, Warden, Prairieland, Detention Center; Joshua Johnson, Field Office Director, Dallas Field Office, U.S. Immigration and Customs Enforcement; Kristi Noem, Secretary of the U.S. Department of Homeland Security; and Pamela Bondi Attorney General of the United States, in their official capacities from detaining Petitioner, from keeping her in custody during the pendency of these proceedings, and from re-detaining Petitioner pending further order of this Court.

As detailed in P.B.'s accompanying Memorandum of Law and her Declaration, ICE is unlawfully detaining her without legal authority and in violation of the Constitution and governing

immigration statutes and regulations. P.B. is a 21-year-old woman from Colombia with Type 1 diabetes. She entered the United States November 2024 and immediately presented to border patrol agents. She was detained pursuant to Section 235(b)(1), 8 U.S.C. § 1225. During her detention, an asylum officer interviewed P.B. and concluded that she demonstrated a credible fear of persecution or torture. Based on that finding, a Supervisory Asylum Officer vacated her Section 235(b)(1) order pursuant to 8 C.F.R. § 208.30 and set a hearing on her claim for asylum. She was released on parole on or about January 13, 2025. DHS issued a Notice to Appear, and her asylum application is pending with an individual hearing currently scheduled for January 20, 2026. On October 14, 2025, after reporting for a routine ICE check-in in Dallas, P.B. was arrested and detained without explanation or notice. DHS has not issued an I-860 or provided any notice revoking her parole. Since her arrest, she has been detained at Prairieland Detention Center, where she has repeatedly been denied adequate insulin, a diabetic-appropriate diet, and sufficient water—resulting in hospitalization from October 15 to October 18, 2025.

A temporary restraining order is necessary to prevent immediate and irreparable harm. Continued detention, transfer, or removal will deprive P.B. of constitutional rights, disrupt access to counsel and the courts, endanger her health given her insulin-dependent diabetes and Prairieland's inadequate medical care, and risk permanent separation from her family, including her U.S. citizen sibling. Once she is transferred or removed, meaningful judicial review and effective relief may be foreclosed or significantly impaired. P.B. merely seeks to preserve the status quo while the Court considers the merits of her claims against Defendants.

The grounds for this Motion are set forth in the supporting Memorandum of Law; the Declaration of P.B.; and additional supporting declarations, filed concurrently. A Proposed Order and Certificate of Counsel Pursuant to Local Civil Rule 65.1 are filed concurrently. Plaintiff also

requests that the Court order Defendants to (i) refrain from transferring P.B. from Prairieland Detention Center or otherwise moving her outside this District and (ii) refrain from removing her from the United States.

Respectfully submitted,

November 1, 2025

/s/ Betty X. Yang

Betty X. Yang

Texas Bar No. 24088690

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