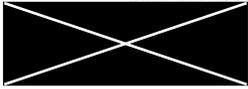


UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ADEILSON SANTANA DA CRUZ, 



Petitioner,

v.

David O'NEILL, *et al.*,

Respondents.

Case No. 2:25-cv-06286-JHS

MOTION FOR TEMPORARY RESTRAINING ORDER

TO: The Clerk of Court and Counsel for Respondents.

PLEASE TAKE NOTICE that Petitioner, ADEILSON SANTANA DA CRUZ, through undersigned counsel, hereby moves this Honorable Court for a Temporary Restraining Order and Immediate Release pursuant to 28 U.S.C. § 2243 and Fed. R. Civ. P. 65.

This motion is based on the binding, nationwide class certification and partial summary judgment rulings issued by the United States District Court for the Central District of California in *Maldonado Bautista et al. v. Santacruz Jr. et al.*, Case No. 5:25-cv-01873-SSS-BFM, which conclusively establishes that Petitioner's detention under 8 U.S.C. § 1225(b)(2) is unlawful.

Petitioner seeks immediate release, rather than a delayed bond hearing, because the systemic inability of the Executive Office for Immigration Review to process the thousands of affected class members within a constitutional timeframe constitutes immediate, irreparable injury.

In support of this motion, Petitioner submits the accompanying Memorandum of Law in Support of a Temporary Restraining Order, the attached Proposed Order, and the concurrently filed Exhibits.

WHEREFORE, Petitioner respectfully requests that this Court grant this Motion for a Temporary Restraining Order and issue an Order (i) enjoining Respondents from detaining Petitioner under 8 U.S.C. § 1225(b)(2); (ii) granting the Petition for Writ of Habeas Corpus; and (iii) ordering Petitioner's immediate release from Respondents' custody.

DATED this 3rd of December, 2025.

Respectfully submitted,

/s/ Karen L. Hoffmann

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ATTORNEY FOR PETITIONER

CERTIFICATE OF SERVICE

On this date, I served the opposing counsel with a copy of this pleading via CM/ECF.

DATED this 3rd of December, 2025.

/s/ Karen L. Hoffmann, Esq.
Karen L. Hoffmann, Esq.