

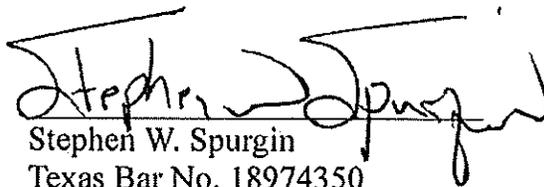
Paso, Texas, within the environs of the El Paso Division of the Western District of Texas.

2. Petitioner seeks to preserve the status quo and the Court's ability to fully address this case on the merits. *See United States v. United Mine Workers of Am.*, 330 U.S. 258, 293 (1947) (“[T]he District Court had the power to preserve existing conditions while it was determining its own authority to grant injunctive relief.”); *cf. Brownback v. King*, 592 U. 209, 218-19 (2021). Other courts in the Western District of Texas have prevented immigration habeas petitioners' removal from the country or transfer from the forum of jurisdiction, until the petition can be fully considered. *See Santiago v. Noem*, No. 3-25-cv-361-KC, 2025 WL 2606118, at *2-3 (W.D. Tex. Sept. 9, 2025) (collecting cases). To ensure the Court's ability to meaningfully address Mr. Kusi's claim, such is requested here.

3. To be clear, Mr. Kusi does not seek a Temporary Restraining Order but instead a Protective Order under the Court's inherent power to preserve and its ability to hear the case. *See, e.g.*, Order Concerning Service of Petition and Stay of Transfer or Removal, *Teixeira v. ICE Burlington*, No. 25-cv-11631 (D. Mass. June 5, 2025), ECF No. 5; *see also Alves v. U.S. Dep't of Just.*, No. 3-25-cv-306-KC, 2025 WL 2629763, at *5 (W.D. Tex. Sept. 12, 2025).

WHEREFORE PREMISES CONSIDERED, Petitioner requests that this Motion be granted.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Stephen W. Spurgin". The signature is written in a cursive style with a large, sweeping initial "S".

Stephen W. Spurgin
Texas Bar No. 18974350
310 N. Mesa, Suite 300
Cortez on the Plaza
El Paso, Texas 79901
Tel: (915) 779-2800
Fax: (915) 779-2801
Email: stephen@spurginlaw.com

