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Attorney for the Petitioner

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

Ruhin R. Momin a.k.a. Ramila Patel

Petitioner,

Case No.

GEORGE STERLING, Deputy Managing Director,
Atlanta Field Office, **TODD M. LYONS**, Acting Director of
U.S. Immigration and Customs Enforcement (ICE);
KRISTI NOEM, Secretary of the
Department of Homeland Security (“DHS”).

Respondents,

EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

I. INTRODUCTION

Petitioner Ruhin Momin aka Ramila Patel respectfully moves this Honorable Court under Federal Rule of Civil Procedure 65(b) for a Temporary Restraining Order (“TRO”) to prevent U.S. Immigration and Customs Enforcement, an agency of the Department of Homeland Security (DHS) from arresting or detaining her in connection with her scheduled Immigration and Customs Enforcement (ICE) reporting on November 12, 2025. *Please see **Exhibit A***, Letter confirming next ICE reporting date.

Petitioner has no criminal records and poses no threat to public safety. She is not a flight risk. Petitioner was previously arrested by ICE when she went to complete her I-130 biometrics at the Atlanta Biometric Center. Petitioner was released on immigration bond from ICE custody on

November 7, 2025. *Please see **Exhibit B***, Order Granting Bond.

Petitioner is currently suffering from weakness and is under the care of her primary care practitioner. *Please see **Exhibit C***, Petitioner's Latest Medical Records. Petitioner's I-485 Application to Adjust Status is pending before the Executive Office for Immigration Review (EOIR). Given her medical condition, lack of criminal history, absence of flight risk and pending immigration proceedings, Petitioner is likely to suffer irreparable harm if ICE arrests or detains her.

II. JURISDICTION AND VENUE

1. This Court has jurisdiction under 28 U.S.C. § 1331 (federal question jurisdiction), as this action arises under the Constitution and laws of the United States, including the Fifth Amendment's Due Process Clause and the Immigration and Nationality Act.

2. This Court has authority to issue injunctive relief under Federal Rule of Civil Procedure 65(b) and the All-Writs Act, 28 U.S.C. § 1651, which empower federal courts to restrain unlawful executive action and prevent irreparable harm.

3. Venue is proper because Petitioner is in Respondents' custody at the Stewart Detention Facility in Lumpkin, Georgia. Venue is further proper because a substantial part of the events or omissions giving rise to Petitioner's claims occurred in this District, where Petitioner is now in Respondents' custody. 28 U.S.C. § 1391(e).

4. Petitioner has either exhausted available administrative remedies or is excused from doing so because any delay in adjudication would cause irreparable harm to her health and life, satisfying the emergency exception to exhaustion.

III. PARTIES

5. Petitioner is a 61-year-old citizen of India. Petitioner is present within the state of Georgia

as of the time of the filing of this petition.

6. Respondent George Sterling, Deputy Managing Director, Atlanta ICE Field Office. The Atlanta Field Office is responsible for local custody decisions relating to non-citizens charges with being removable from the United States, including the arrest, detention, and custody status of non-citizens. Respondent Sterling is a legal custodian of the Petitioner.

7. Respondent Kristi Noem is the Secretary of the Department of Homeland Security (DHS) and has authority over the actions of all other DHS Respondents in this case, as well as all operations of DHS. Respondent Noem is a legal custodian of Petitioner and is charged with faithfully administering the immigration laws of the United States.

8. Respondent Todd Lyons, acting director of U.S. Immigration and Customs Enforcement. He led ERO in its mission to protect the homeland through the arrest and removal of aliens who undermine the safety of our communities and the integrity of our immigration law. Respondent Todd Lyons is a legal custodian of the Petitioner.

IV. FACTUAL BACKGROUND

9. Petitioner is a 61-year-old national of India. She was detained by ICE on August 29, 2025, by ICE when she went to complete her I-130 biometrics at the Atlanta, Georgia Biometric Center. She was later released through immigration bond on November 7, 2025. Petitioner is required to comply with her ICE supervision requirements.

10. Petitioner's Adjustment of status application is pending with USCIS.

11. Petitioner poses no danger or flight risk and has family and housing available in Conyers, Georgia.

V. ARGUMENT

A. Petitioner Is Likely to Succeed on the Merits

12. Petitioner is likely to succeed on the merits of her claim because her continued detention or the threat of arrest by ICE would violate her constitutional and statutory rights. Under the Fifth Amendment, every individual within the United States, including non-citizens, is entitled to due process of law.

13. This includes the right to be free from unlawful or arbitrary detention, particularly when the individual: (1) has no criminal record, demonstrating that she poses no threat to public safety; (2) is not a flight risk, as evidenced by her compliance with prior ICE reporting requirements and her release on bond; and (3) has serious medical needs, which require ongoing treatment. Denying her access to care or subjecting her to detention would likely cause irreparable harm and violate her substantive due process rights.

14. Moreover, under longstanding legal precedent, immigration authorities may not detain individuals arbitrarily, particularly when detention would exacerbate a serious medical condition or interfere with pending relief, such as Petitioner's I-485 Adjustment of Status application. Courts have routinely held that detention under such circumstances can constitute unlawful and unconstitutional action, giving rise to a strong likelihood of success on the merits.

B. Petitioner Faces Immediate and Irreparable Harm Absent Immediate Relief

15. Petitioner faces imminent and serious risks to her health and well-being if ICE arrests or detains her. She is currently suffering from medical conditions like hypertension, diabetes etc., that causes significant weakness and requires ongoing treatment under the care of her primary care practitioner. Detention in an immigration facility would severely disrupt her

access to necessary medical care, including regular monitoring, medications, and any follow-up treatments.

16. Such a disruption is not merely inconvenient; it poses a substantial risk of deterioration of her health, which could result in irreversible physical harm or complications. Courts have consistently recognized that interference with essential medical care constitutes irreparable harm, particularly where the individual has a serious medical condition and no ability to access appropriate treatment in detention.

17. In addition to the physical risks, detention would cause significant emotional and psychological distress, further exacerbating her medical condition. The combination of serious health risks, disruption of treatment, and psychological harm establishes that the Petitioner would suffer irreparable injury absent immediate injunctive relief.

18. Petitioner's health had deteriorated significantly while she was in ICE custody. Petitioner suffer from multiple serious medical conditions, including severe knee pain requiring the use of a wheelchair, painful back rashes currently under antibiotic treatment, diabetes, high blood pressure, and high cholesterol. These overlapping health problems make her highly vulnerable to infection and medical complications. Any disruption in care, medication, or stability could quickly worsen her condition and cause irreparable harm. See *Basank v. Decker*, 449 F. Supp. 3d 205, 213; *Frailhat v. ICE*, 445 F. Supp. 3d 709, 737.

C. The Balance of Equities Favors Petitioner

19. The balance of equities strongly favors Petitioner. The potential harm to Petitioner's health and well-being is immediate and severe. Detention would deprive her of access to essential medical care, exacerbate her medical condition, and cause significant emotional and

psychological distress. These harms are irreparable and cannot be remedied later, making temporary relief critical.

20. In contrast, ICE would suffer minimal to no prejudice from being restrained from enforcing her reporting requirement for a short period. Petitioner has no criminal history, poses no threat to public safety, and has demonstrated full compliance with prior ICE requirements, including bond conditions and reporting obligations. Temporarily refraining from detention would not impede ICE's enforcement authority in any meaningful way.

21. Furthermore, the public interest favors protecting individuals with urgent medical needs. Courts have consistently recognized that protecting life, health, and access to necessary medical care is a compelling public interest. Upholding the rights of a person in Petitioner's circumstances advances both humane treatment and the integrity of the immigration system, ensuring that enforcement actions do not result in unnecessary or avoidable harm.

22. Therefore, both the equities and public interest weigh decisively in favor of granting a temporary restraining order to preserve Petitioner's health, well-being, and constitutional rights.

D. The Public Interest Supports Relief

23. The public interest is always served by ensuring that the government complies with the Constitution and that human life is not needlessly endangered through bureaucratic neglect. Granting this TRO reinforces the fundamental principle that civil detention must be humane, necessary, and lawful. Petitioner's continued detention serves no lawful purpose and contravenes both the Due Process Clause and ICE's own humanitarian policies. The urgency of her condition, combined with ICE's inability to provide adequate care, demands immediate judicial intervention.

VI. REQUESTED RELIEF

Petitioner respectfully requests that this Court:

1. Issue a Temporary Restraining Order (TRO) preventing ICE from arresting or detaining Petitioner in connection with her scheduled ICE reporting on November 12, 2025; and
2. Grant such further relief as this Honorable Court deems just and proper.

Respectfully submitted on November 10, 2025.

/s/ Bhavya Chaudhary

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CERTIFICATE OF SERVICE

I, Bhavya Chaudhary, Esq. hereby certify that a copy of the foregoing was mailed First class postage prepaid to the office of the Attorney General at the below address:

Todd M. Lyons
Acting Director of U.S. Immigration and Customs Enforcement
500 12th St. SW
Washington, DC 20536

Kristi Noem
Office of the General Counsel
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave, SE Washington, DC 20528-0485

George Sterling
Atlanta ICE Deputy Managing Director
180 Ted Turner Dr. SW, Ste 522, Atlanta, GA 30303

United States Attorney – Civil Process Clerk
Northern District of Georgia
75 Ted Turner Drive, SW
Atlanta, GA 30303-3309

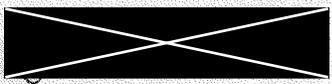
/s/ Bhavya Chaudhary

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Attorney for the Petitioner

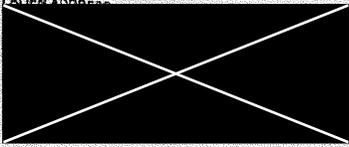


DEPARTMENT OF HOMELAND SECURITY
CALL-IN LETTER

2nd Att 

To (Name, Address, City, State, Zip Code)

PATEL
RAMILA aka RUHIN MOMIN

ALIEN ADDRESS 

File Number 
Date 11/07/2025

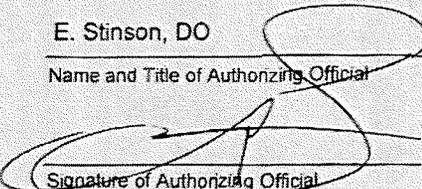
Please come to the office listed below at the time and place indicated in connection with an official matter.

Office Location	REPORT TO: 503 Oak Place, Suite 510, Atlanta, GA 30349
Time and Hour	CALL BEFORE REPORTING: 404-596-7434
Ask For	NON DETAINED
Reason for Appointment	REQUIRED TO REPORT: 11/12/2025 @ 0900
Bring With You	CALL-IN LETTER (G-56)

It is important that you keep this appointment and bring this letter with you.
If you are unable to do so, state your reason, sign below, and return this letter to this office at once.

E. Stinson, DO

Name and Title of Authorizing Official


Signature of Authorizing Official

I am unable to keep the appointment because:

Signature	Date



UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
STEWART IMMIGRATION COURT

Respondent Name:

MOMIN, RUHIN RAISHAHMED

To:

Love, Rose Laren
700 Holcomb Bridge Road
Norcross, GA 30071

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

11/06/2025

AMENDED ORDER OF THE IMMIGRATION JUDGE

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

Denied, because

Granted. It is ordered that Respondent be:

released from custody on his own recognizance.

released from custody under bond of \$ 12,000.00

other:

Although the Respondent has been in the U.S. for many years, she provided a false name to authorities when encountered in 1999. Despite the passage of time, this fact does not go unnoticed when determining a bond amount to mitigate flight risk.

Other:

a.k.a. Ramila Patel (A





Immigration Judge: FULLER, STEVEN 11/06/2025

Appeal:	Department of Homeland Security:	<input type="checkbox"/>	waived	<input checked="" type="checkbox"/>	reserved
	Respondent:	<input checked="" type="checkbox"/>	waived	<input type="checkbox"/>	reserved

Appeal Due: 12/08/2025

Certificate of Service

This document was served:

Via: [M] Mail | [P] Personal Service | [E] Electronic Service | [U] Address Unavailable

To: [] Alien | [] Alien c/o custodial officer | [E] Alien atty/rep. | [E] DHS

Respondent Name : MOMIN, RUHIN RAISHAHMED | A-Number :



Riders:

Date: 11/06/2025 By: Green, Ty, Court Staff