

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

Gabriel Jesus LEON OLIVARES,

Petitioner,

v.

Thomas BERGAMI, Warden, Prairieland  
Detention Center; Joshua JOHNSON, Acting  
Director of Dallas Field Office, U.S. Immigration  
and Customs Enforcement; Todd LYONS,  
Acting Director of Immigration and Customs  
Enforcement; Kristi NOEM, Secretary of the  
U.S. Department of Homeland Security; Pam  
BONDI, Attorney General of the United States;  
in their official capacities,

Respondents.

)  
) Case No. 3:25-cv-3096  
)  
)

)  
) **PETITION FOR WRIT OF**  
) **HABEAS CORPUS**  
)  
)

**MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY  
INJUNCTION**

Pursuant to Fed. R. Civ. P. 65, Petitioner moves this Court for a Temporary Restraining Order and Preliminary Injunction enjoining Respondents from violating his rights under Fifth Amendment, the APA, and immigration laws by determining that he is subject to mandatory detention. In support of this motion, Petitioner relies upon the attached memorandum of law and appendix. A proposed Order is attached.

DATED this 25th of November 2025.

Respectfully submitted,

/s/ Oscar Jesus Mendoza Esq.

Oscar Jesus Mendoza

Texas State Bar No. 24093631

The Law Office of Oscar Mendoza, PLLC  
P.O. Box 600046  
Dallas, TX 75360  
469-426-1861  
[omendoza@omendozalaw.com](mailto:omendoza@omendozalaw.com)

Attorney for Petitioner

**CERTIFICATE OF CONFERENCE**

On November 24, 2025, I conferred with the representatives of Respondents mentioned below via email about the attached motion and they indicated that they are OPPOSED to said motion. No explanation was provided as to why an agreement could not be reached.

Ann Cruce-Haag-DOJ  
US Attorney's Office  
1205 Texas Ave  
7th Floor  
Lubbock, TX 79401  
806-472-7397  
Fax: 806-472-7394  
Email: ann.haag@usdoj.gov

Brian Walters Stoltz-DOJ  
DOJ-USAO  
1100 Commerce St  
Third Floor  
Dallas, TX 75242-1699  
214-659-8626  
Email: brian.stoltz@usdoj.gov

DATED: November 25, 2025.

/s/ Oscar Jesus Mendoza Esq.  
Attorney for Petitioner

**CERTIFICATE OF SERVICE**

On November 25, 2025, I electronically submitted the foregoing document with the clerk of court for the U.S. District Court, Northern District of Texas, using the electronic case filing system of the court. I hereby certify that I have served all parties electronically or by another manner authorized by Federal Rule of Civil Procedure 5(b)(2).

DATED: November 25, 2025.

/s/ Oscar Jesus Mendoza Esq.  
Attorney for Petitioner