

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MINNESOTA**

Henry Justiz Perez,

Petitioner,

v.

Pamela Bondi, Attorney General,

Kristi Noem, Secretary, U.S. Department of  
Homeland Security,

Department of Homeland Security,

Todd M. Lyons, Acting Director of  
Immigration and Customs Enforcement,

Immigration and Customs Enforcement,

Executive Office for Immigration Review,

David Easterwood, Acting Director, St. Paul  
Field Office Immigration and Customs  
Enforcement,

and,

Joel Brott, Sheriff of Sherburne County.

Respondents.

0:25-cv-04332-LMP-DTS

**EMERGENCY MOTION  
FOR TEMPORARY  
RESTRAINING ORDER**

**EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER**

For the reasons set forth in the accompanying memorandum, Petitioner Henry Justiz Perez hereby moves immediate and emergency basis for a Temporary Restraining Order ordering Respondents to immediately release Petitioner and to prohibit them from moving him outside of the geographic boundaries of the Federal District of Minnesota and from re-detaining him for the duration of these proceedings.

Petitioner is a Cuban national who has resided in the United States since August 8, 2024, after being paroled into the United States. Respondents issued Petitioner a Form I-94 valid through August 7, 2026. On April 11, 2025, Respondents sent a mass form email stating that parole was terminated within 7 days. Petitioner was a recipient of such an email. No reason was provided for the purported termination of his parole. On July 22, 2025, Respondents moved to dismiss Justiz Perez's removal proceedings with the intent of placing him in expedited removal proceedings. The immigration judge granted DHS's motion. That day, Respondents took Petitioner into custody at the Fort Snelling Immigration Court and immediately transferred Petitioner to the Sherburne County Jail in Elk River, Minnesota, where he remains. The same day, Respondents placed Petitioner in expedited removal proceedings. Respondents later continued to move forward with these expedited removal proceedings in violation of the stay issued in

*CHIRLA v. Noem*, No. 25-5289, 2025 WL 2192986 (D.C. Cir. Aug. 1, 2025). On August 14, 2025, Respondent ICE filed and served a new Notice to Appear. Petitioner remains detained in ICE custody.

Petitioner's parole termination and continued detention are unconstitutional as a violation of his due process rights, the Immigration and Nationality Act, Respondents' own regulations, and the Administrative Procedure Act.

Petitioner hereby moves as follows:

1. Petitioner seeks a Temporary Restraining Order enjoining Respondents from moving Petitioner outside of the geographic boundaries of the District of Minnesota.
2. Petitioner seeks a Temporary Restraining Order ordering Respondents to release Petitioner from custody forthwith.
3. Petitioner seeks a Temporary Restraining Order enjoining Respondents from re-detaining Petitioner during the pendency of this Court's consideration of this Petition for a Writ of Habeas Corpus.

WHEREFORE, Petitioner respectfully requests this Court:

- A. Grant this Temporary Restraining Order; and,
- B. Grant such other and further relief as justice may require.

Respectfully submitted,

/s/ David L. Wilson

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November 13, 2025

Date

/s/ Gabriela Anderson

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