

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**EVANGELINA MORALES,**  
Individually and on behalf of all others  
similarly situated,

*Petitioner/Plaintiff,*

v.

**PAMELA BONDI, ET AL.,**  
  
Respondents/Defendants.

CASE NO. 1:25-CV-01472  
Honorable Hala Y. Jarbou

**EXPEDITED CONSIDERATION  
REQUESTED Pursuant to  
Local Rule 7.1(e)**

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**PETITIONER'S MOTION FOR TEMPORARY RESTRAINING ORDER AND  
PRELIMINARY INJUNCTION AND REQUEST FOR EXPEDITED CONSIDERATION**

**NOW COMES** Petitioner/Plaintiff Evangelina Morales, individually and on behalf of the putative class, by and through her undersigned counsel, and pursuant to Federal Rule of Civil Procedure 65 and W.D. Mich. LCivR 7.1(e), hereby moves this Honorable Court for the entry of a Temporary Restraining Order and Preliminary Injunction, and for Expedited Consideration of this Motion. Petitioner incorporates the brief filed concurrently with this motion and further states as follows:

1. This action challenges a systemic and unlawful policy implemented by Respondents that categorically denies bond hearings to noncitizens arrested in the interior of the United States. Respondents have reclassified long-term residents who entered without inspection as "arriving aliens" subject to mandatory detention under 8 U.S.C. § 1225(b)(2), thereby stripping them of their statutory right to a bond hearing under 8 U.S.C. § 1226(a).
2. Petitioner is highly likely to succeed on the merits. As this Court recently held in *Mendez v. Raycraft*, No. 1:25-cv-1323 (W.D. Mich. Nov. 18, 2025), and as confirmed by the Central District of California in *Bautista v. Santacruz*, No. 5:25-cv-01873 (C.D. Cal. Nov. 20, 2025), the government's interpretation violates the clear text of the Immigration and Nationality Act ("INA"). Specifically, the mandatory detention provision of § 1225(b)(2) applies only if an "examining immigration officer determines" inadmissibility upon inspection—a factual predicate that is absent for Petitioner and the putative class of interior apprehensions.
3. Without immediate injunctive relief, Petitioner and the putative class face ongoing, indefinite detention in violation of the Constitution. The loss of liberty constitutes per se irreparable harm. Furthermore, Petitioner faces the imminent risk of removal without

ever receiving the due process hearing to which she is entitled. As detailed in the accompanying Brief, the government is actively arguing in other federal courts that nationwide class orders are non-binding absent a final judgment, creating an urgent enforcement gap that only a direct injunction from this Court can close.

4. The equities tip sharply in favor of Petitioner. The requested relief does not mandate release; it merely restores the statutory status quo by requiring individualized bond hearings. The public has a compelling interest in ensuring that the Executive Branch adheres to congressional statutes and the Constitution.
5. Pursuant to W.D. Mich. LCivR 7.1(e), Petitioner requests expedited consideration. The continued deprivation of liberty constitutes an ongoing emergency. Swift intervention is necessary to prevent the further violation of constitutional rights and to preserve the Court's ability to grant meaningful relief before class members are deported or transferred.

**WHEREFORE**, Petitioner respectfully requests that this Court enter an Order:

- A. Enjoining Respondents from applying 8 U.S.C. § 1225(b) to Petitioner and all putative class members apprehended within the interior of the United States;
- B. Requiring Respondents to treat such individuals as detained under 8 U.S.C. § 1226(a) and to provide prompt, individualized bond hearings before an Immigration Judge; and
- C. Granting such further relief as the Court deems just and proper.

Dated: December 1, 2025

By: /s/ Robert Anthony Alvarez  
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