

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

Daniel Alejandro HERNANDEZ CACERES,)

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-3167

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 26th 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

Attorney for Petitioner

CERTIFICATE OF CONFERENCE

On November 26, 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 26, 2025.

/s/ Oscar Jesus Mendoza Esq.
Attorney for Petitioner

CERTIFICATE OF SERVICE

On November 26, 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 26, 2025.

/s/ Oscar Jesus Mendoza Esq.
Attorney for Petitioner