

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

Tahirou SAMASSA,
A 

Petitioner,

v.

Craig LOWE, in his official capacity as
Warden, Pike County Correctional
Facility; Kristi NOEM, in her official
capacity as Secretary, U.S. Department
of Homeland Security; U.S.
DEPARTMENT OF HOMELAND
SECURITY; and Pamela BONDI, U.S.
Attorney General,

Respondents.

Case No. 1:25-cv-02197-SES

TO: The Clerk of Court and Counsel for Respondents.

PLEASE TAKE NOTICE that Petitioner, **TAHIROU SAMASSA**, by and through undersigned counsel, hereby moves this Honorable Court for a **Temporary Restraining Order (TRO)** and **Immediate Release** pursuant to **28 U.S.C. § 2243** and **Fed. R. Civ. P. 65**.

This motion is based on the binding, nationwide class certification and partial summary judgment rulings issued by the United States District Court for the Central District of California in *Maldonado Bautista et al. v. Santacruz Jr. et al.*, Case No. 5:25-cv-01873-SSS-BFM, which conclusively establishes that Petitioner's detention under 8 U.S.C. § 1225(b)(2) is unlawful.

Petitioner seeks immediate release, rather than a delayed bond hearing, because the systemic inability of the Executive Office for Immigration Review (EOIR) to process the thousands of affected class members within a constitutional timeframe constitutes immediate, irreparable injury.

In support of this motion, Petitioner submits the accompanying Memorandum of Law in Support of a Temporary Restraining Order, the attached Proposed Order, and the concurrently filed Exhibits.

WHEREFORE, Petitioner respectfully requests that this Court grant this Motion for a Temporary Restraining Order and issue an Order (i) enjoining Respondents from detaining Petitioner under 8 U.S.C. § 1225(b)(2); (ii) granting the Petition for Writ of Habeas Corpus; and (iii) ordering Petitioner's **immediate release** from Respondents' custody.

DATED this 4 of December, 2025.

/s/ Stanley J. Ellenberg, Esq.
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CERTIFICATE OF CONCURRENCE/NONCONCURRENCE

Pursuant to Local Rule 7-1, I, Stanley J. Ellenberg, hereby certify that I sought concurrence from the Defendants by contacting the Assistant US Attorney's Office via telephone, and that said concurrence was denied.

DATED this 4 of December, 2025.

/s/ Stanley J. Ellenberg, Esq.
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