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11 210-277-1603

12 Attorney for Petitioner

13 **UNITED STATES DISTRICT COURT**  
14 **WESTERN DISTRICT OF TEXAS**

15 **ABDI LOPEZ HERNANDEZ,** ) **CASE NO. 3:25-cv-579-LS**  
16 Petitioner )  
17 vs. ) **PETITIONERS' EX PARTE**  
18 ) **APPLICATION FOR**  
19 ) **TEMPORARY RESTRAINING**  
20 ) **ORDER AND ORDER TO SHOW**  
21 ) **CAUSE**  
22 **TODD LYONS**, Acting Director, )  
23 Immigration and Customs )  
24 Enforcement, **KRISTI NOEM**, )  
25 Secretary of United States )  
26 Department of Homeland Security, )  
27 **MARISSA A. FLORES**, )  
28 Immigration and Customs )  
29 Enforcement, El Paso Field Office )  
30 Director, **DIRECTOR**, El Paso )  
31 Service Processing Center, )  
32 **PAMELA BONDI**, United States )  
33 Attorney General, )  
34 Respondents )

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4 Pursuant to Rule 65(b)(1) of the Federal Rules of Civil Procedure, Petitioner hereby  
5 moves the Court for emergency relief in the form of a temporary restraining order directing  
6 Respondents to release Petitioner from their custody with no conditions of release, such as GPS  
7 monitoring, that would constitute *de facto* custody, or to provide Petitioner with an  
8 individualized bond hearing before an immigration judge pursuant to 8 U.S.C. § 1226(a).

9 Petitioner also seeks a temporary restraining order enjoining the Respondents from  
10 relocating Petitioner outside of the Western District of Texas or the District of New Jersey  
11 pending final resolution of this case.

12 Petitioner further moves for the issuance of an order to show cause as to why a  
13 preliminary injunction should not issue.

14 This application is supported by the Memorandum of Points and Authorities,  
15 accompanying exhibits, as well as any additional submissions that may be considered by the  
16 Court.

17 Respectfully submitted,

18 Date: November 24, 2025

19 By:/s/ Eric M. Mark  
20 Eric M. Mark  
21 Attorney for Petitioner  
22 Law Office of Eric M. Mark  
96 Summer Ave  
23 Newark, NJ 07104  
Tel: (973) 306-4246

24 /s/ Javier Maldonado  
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210-277-1603

**PROOF OF SERVICE**

I, the undersigned, declare that my office is in Newark, New Jersey. I am over the age of eighteen (18) years and not a party to the action within. My business address is 96 Summer Ave Newark, NJ 07104. On November 24, 2025, I served the following documents

**PETITIONERS' EX PARTE APPLICATION FOR TEMPORARY RESTRAINING**

**ORDER AND ORDER TO SHOW CAUSE** by placing a true and correct copy in a sealed envelope, each addressed as follows:

Kristi Noem  
U.S. Department of Homeland Security  
9707 Martin Luther King Jr Ave SE  
Washington, D.C. 20528

Todd Lyons  
U.S. Immigration and Customs Enforcement:  
500 12th Street SW  
Washington, DC 20536

Marissa A. Flores  
Enforcement and Removal Operations  
El Paso Field Office  
11541 Montana Ave. Suite E  
El Paso, TX 79936

Director – El Paso Service Processing Center  
8915 Montana Ave.  
El Paso, TX 19925

Pamela Bondi  
950 Pennsylvania Avenue, NW  
Washington, DC 20530-0001

Civil Process Clerk  
U.S. Attorney's Office  
700 E. San Antonio, Suite 200  
El Paso, TX 19901

**By mail.** I am readily familiar with the business for collection and processing of correspondence for mailing in the United States Postal Service and that this document, with

1 postage fully prepaid, will be deposited with the United States Postal Service this date in the  
2 ordinary course of business.

3 I declare under the penalty of perjury that the foregoing is true and correct. Executed on  
4 November 24, 2025, at Newark, New Jersey.

5 /s/ Eric M. Mark  
6 Eric M. Mark  
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