



effect. Further, the Court has not yet issued judgment in this matter. Accordingly, Petitioner hereby moves to enforce the existing preliminary injunction enjoining Respondents from removing Petitioner from the District of Maine, or, if he is already outside the District, requiring his return to the District.

Out of an abundance of caution, in the alternative, Petitioner hereby moves this Court for a new temporary restraining order to bar the federal Respondents from transferring him outside the District of Maine, pursuant to the All Writs Act, 28 U.S.C. § 1651, or, if he is already outside the District of Maine, to require his immediate return.

Petitioner should not be transferred outside of the District of Maine for all of the same reasons that the Court granted his original motion for temporary restraining order and preliminary injunction, including because:

(1) Petitioner's presence in the District of Maine would facilitate this Court's consideration of his habeas petition by enabling access to counsel and Petitioner's ability to participate fully in Court proceedings;

(2) if Petitioner were transferred, Respondents may contend that Petitioner's transfer deprives this Court of jurisdiction to hear a claim that is properly before it, and mooted the issue by barring transfer would promote judicial efficiency; and

(3) as this Court has found in several recent habeas petitions brought by noncitizens, barring transfer outside the District of Maine during the pendency of these proceedings is warranted under the circumstances.

The Court may also grant this relief without conducting the standard equitable balancing under "broad authority" provided by the All Writs Act for federal district courts to take action to preserve the status quo to allow them to fully adjudicate an issue already before them. *Perez Parra*

*v. Castro*, 765 F. Supp. 3d 1241, 1243-44 (D.N.M 2025) (ordering relief barring transfer during pendency of habeas proceedings under All Writs Act, without conducting balancing of standard TRO factors); *see also F. T. C. v. Dean Foods Co.*, 384 U.S. 597, 604 (1966) (holding that the All Writs Act provides “a limited judicial power to preserve the court’s jurisdiction or maintain the status quo by injunction pending review of an agency’s action through the prescribed statutory channel”). There are “many instances where district courts utilize [their] inherent authority under the [All Writs Act] to retain jurisdiction and enjoin transfers.” *Perez Parra*, 765 F. Supp. 3d at 1243-44 (collecting cases).

Based upon the foregoing reasons, Petitioner respectfully requests that the Court enjoin Petitioner’s transfer outside the District of Maine for the remainder of the pendency of these habeas proceedings, and, if he is already outside the District, order his immediate return.

Respectfully submitted this 11th day of January, 2026.

Petitioner,

By and through his Counsel,

/s/ Max I. Brooks

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*Counsel for Petitioner*

**CERTIFICATE OF SERVICE**

I hereby certify that on the date below, I electronically filed the foregoing document, an Emergency Motion to Enforce Preliminary Injunction, or, in the Alternative, For TRO to Bar Transfer Outside the District of Maine, via the Court's CM/ECF system.

Signed this 11th day of January, 2026,

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