

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

United States Courts
Southern District of Texas
FILED

DEC 05 2025

Nathan Ochsner, Clerk of Court

**MOUHAMADOU LAMINE FAYE,
Petitioner,
v.**

**ATTORNEY GENERAL OF THE UNITED STATES, et al.,
Respondents.**

Case No.: _____

EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

Petitioner moves this Court for an Immediate Temporary Restraining Order under Fed. R. Civ. P. 65 to halt his imminent removal.

1. IMMINENT IRREPARABLE HARM

ICE has communicated that "repatriation is arranged." Removal would permanently deprive Petitioner of the opportunity to pursue his pending I-130 petition and sever his ties to his 91-year-old father.

2. LIKELIHOOD OF SUCCESS ON THE MERITS

Petitioner raises a valid constitutional claim: ICE blocked access to a statutory remedy (I-246), while EOIR and BIA refused jurisdiction, leaving no administrative forum. Under Boumediene and St. Cyr, habeas must remain available.

3. BALANCE OF EQUITIES

Petitioner has no criminal record and 14 years of perfect supervision. Government suffers no harm from a short delay.

4. PUBLIC INTEREST

Public interest favors constitutional compliance. See Nken v. Holder.

CERTIFICATION UNDER RULE 65(b)(1)(B)

Petitioner certifies that ICE OPLA and the U.S. Attorney's Office were notified of this filing by email on the date of filing.

RELIEF REQUESTED

Petitioner respectfully requests:

- 1. A TRO preventing removal for 14 days;**
- 2. An order barring his transfer outside this District.**

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mame B. Faye', is written over a horizontal line.

Mame B. Faye

Next Friend for Petitioner

Date: December 5, 2025