

Eric M. Mark  
Law Office of Eric M. Mark  
96 Summer Ave., Fl. 1  
Newark, NJ 07104  
Tel: (973) 306-4246  
Email: EricM@ericmarklaw.com

Rachel Effron Sharma  
DreamPath Law, LLC  
5425 Peachtree Parkway NW  
Norcross, GA 30092  
[rachel@dreampathlaw.com](mailto:rachel@dreampathlaw.com)  
470-273-3444

Attorney for Petitioner

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA

|                                  |   |                              |
|----------------------------------|---|------------------------------|
| MANUEL J. AGUAIZA PUNIN,         | ) | CASE NO. 5:25-cv-209-LGW-BWC |
| Petitioner,                      | ) |                              |
| vs.                              | ) | PETITIONERS' EX PARTE        |
|                                  | ) | APPLICATION FOR              |
|                                  | ) | TEMPORARY RESTRAINING        |
|                                  | ) | ORDER AND ORDER TO SHOW      |
|                                  | ) | CAUSE                        |
| TODD LYONS, Acting Director,     | ) |                              |
| Immigration and Customs          | ) |                              |
| Enforcement, KRISTI NOEM,        | ) |                              |
| Secretary of United States       | ) |                              |
| Department of Homeland Security, | ) |                              |
| LADEON FRANCIS, Immigration      | ) |                              |
| and Customs Enforcement, Atlanta | ) |                              |
| Field Office Director, TONY      | ) |                              |
| NORMAND, Warden, Folkston        | ) |                              |
| ICE Processing Center, PAMELA    | ) |                              |
| BONDI, United States Attorney    | ) |                              |
| General,                         | ) |                              |
| Respondents.                     | ) |                              |

1 Pursuant to Rule 65(b)(1) of the Federal Rules of Civil Procedure, Petitioner hereby  
2 moves the Court for emergency relief in the form of a temporary restraining order directing  
3 Respondents to release Petitioner from their custody with no conditions of release, such as GPS  
4 monitoring, that would constitute *de facto* custody, or to provide Petitioner with an  
5 individualized bond hearing before an immigration judge pursuant to 8 U.S.C. § 1226(a) with the  
6 burden of proof on the Government to prove by clear and convincing evidence that he is a flight  
7 risk or danger to the community.  
8

9 Petitioner also seeks a temporary restraining order enjoining the Respondents from  
10 relocating Petitioner outside of the Southern District of Georgia 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, exhibits, as  
15 well as any additional submissions that may be considered by the Court.

16 Respectfully submitted,

17 Date: December 8, 2025

18 By: /s/ Eric M. Mark  
Eric M. Mark  
Law Office of Eric M. Mark  
96 Summer Ave., Fl. 1  
Newark, NJ 07104  
Tel: (973) 306-4246

21 /s/Rachel Effron Sharma  
22 Rachel Effron Sharma  
23 DreamPath Law, LLC  
5425 Peachtree Pkwy NW  
Norcross, GA 30092  
24 Tel 470-273-3444  
25 rachel@dreampathlaw.com  
*local counsel*

**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., Fl. 1, Newark, NJ 07104. On December 5, 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  
2707 Martin Luther King Jr Ave SE  
Washington, D.C. 20528-525

Todd Lyons  
U.S. Immigration and Customs Enforcement  
0525 Department of Homeland Security  
2707 Martin Luther King Jr. Ave SW  
Washington, DC 20528-0525

Ladeon Francis  
Acting Field Office Director  
Enforcement and Removal Operations  
Atlanta Field Office  
180 Ted Turner Dr. SW  
Suite 522  
Atlanta, GA 30303

Tony Normand, Warden  
Folkston ICE Processing Center  
3026 Hwy 252  
Folkston, GA 31537

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

U.S. Attorney's Office  
ATTN: Civil Process Clerk  
600 James Brown Blvd

1 Suite 200  
2 Augusta, GA 30901

3       **By mail.** I am readily familiar with the business for collection and processing of  
4 correspondence for mailing in the United States Postal Service and that this document, with  
5 postage fully prepaid, will be deposited with the United States Postal Service this date in the  
6 ordinary course of business.

7       I declare under the penalty of perjury that the foregoing is true and correct. Executed  
8 on December 8, 2025, at Newark, New Jersey.  
9

10                               /s/ Eric M. Mark  
11                               Eric M. Mark  
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