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8 UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
9

10 MA JINGYI,  
Immigration File No. 

Case No. 5:25-cv-03345-RGK-SSC

11  
12 Petitioner,

13 v.

MOTION FOR TEMPORARY AND  
PRELIMINARY INJUNCTIVE RELIEF  
IN AID OF HABEAS JURISDICTION

14 Todd M. Lyons, Acting Director, Field Office  
Director of Enforcement and Removal  
15 Operations, Adelanto Field Office, Immigration  
and Customs Enforcement; Kristi NOEM,  
16 Secretary, U.S. Department of Homeland  
Security; U.S. DEPARTMENT OF  
17 HOMELAND SECURITY; Pamela BOND, U.S. Attorney General; EXECUTIVE OFFICE  
FOR IMMIGRATION REVIEW,  
18

19 Respondents.  
20  
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22  
23  
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1 I. INTRODUCTION

2 Petitioner Jingyi Ma respectfully moves this Court for temporary and preliminary  
3 injunctive relief prohibiting Respondents from continuing to detain her based on materially false  
4 factual premises, including reliance on criminal history and exhibits belonging to an entirely  
5 different individual.

6 This Motion is brought pursuant to:

- 7
- 8 • Federal Rule of Civil Procedure 65, and
  - 9 • the Court's inherent authority and the All Writs Act, 28 U.S.C. § 1651(a),
- 10 to protect this Court's habeas jurisdiction and prevent ongoing constitutional injury.

11 Absent immediate injunctive relief, Petitioner will continue to suffer unlawful physical  
12 restraint based on erroneous and fictitious evidence, in violation of the Due Process Clause of the  
13 Fifth Amendment.

14

15

16 II. JURISDICTION AND AUTHORITY

17 Federal courts have broad authority to issue injunctive relief where necessary to:

- 18
- 19 1. preserve jurisdiction over a habeas petition, and
  - 20 2. prevent irreparable constitutional harm.

21 See *Boumediene v. Bush*, 553 U.S. 723, 784 (2008); *Nken v. Holder*, 556 U.S. 418, 426 (2009).

1 Where detention is based on materially inaccurate information, courts may enjoin  
2 continued custody pending resolution of habeas claims. See *Singh v. Holder*, 638 F.3d 1196,  
3 1203–04 (9th Cir. 2011).

### 4 5 6 III. LEGAL STANDARD

7 A temporary restraining order or preliminary injunction is warranted where the movant shows:

- 8 1. a likelihood of success on the merits;
- 9 2. irreparable harm absent relief;
- 10 3. that the balance of equities tips in her favor; and
- 11 4. that an injunction is in the public interest.

12  
13 *Winter v. Nat. Res. Def. Council*, 555 U.S. 7, 20 (2008).


14  
15 In habeas cases involving unlawful detention, courts apply this standard flexibly because  
16 loss of liberty itself constitutes irreparable harm. *Rodriguez v. Robbins*, 715 F.3d 1127, 1144 (9th  
17 Cir. 2013).


### 18 19 IV. ARGUMENT

#### 20 A. Petitioner Is Likely to Succeed on the Merits

21 Respondents' Motion to Dismiss confirms that the Government has relied on:

- 22
- 23 • exhibits belonging to a different detainee.
- 24

- 1 • a different A-Number (ending in “084”), and
- 2 • a fabricated or inapplicable criminal history attributed to Petitioner Jingyi Ma. (A )

3 

4 Detention premised on false or misidentified evidence violates due process as a matter of

5 law. See *Sanchez v. Sessions*, 870 F.3d 901, 914 (9th Cir. 2017); *Ching v. Mayorkas*, 725 F.3d

6 1149, 1157 (9th Cir. 2013). Because Respondents cannot lawfully justify detention of Petitioner

7 based on another person’s record, Petitioner has shown a strong likelihood of success on her

8 habeas claims.

9

10

11 **B. Petitioner Suffers Ongoing Irreparable Harm**

12 Unlawful immigration detention constitutes irreparable harm *per se*. See *Hernandez v*

13 *Sessions*, 872 F.3d 976, 994 (9th Cir. 2017).

14

15 Each additional day of detention:

- 16 • deprives Petitioner of liberty,
  - 17 • compounds constitutional injury, and
  - 18 • cannot be remedied retroactively.
- 19

20 Monetary damages are unavailable in habeas, making injunctive relief the only effective remedy.

21

22 **C. The Balance of Equities Strongly Favors Petitioner**

23

24

1 The Government suffers no cognizable harm from releasing or providing immediate  
2 corrective relief to an individual whose detention is supported by erroneous records.

3 Conversely, Petitioner bears the full weight of continued incarceration based on misinformation  
4 the Government itself introduced.

5 Equity does not permit detention to continue merely because correcting the record is  
6 inconvenient.

7  
8  
9 D. Injunctive Relief Is in the Public Interest

10 The public has a compelling interest in:


- 11
- 12 • accurate government records,
  - 13 • fair immigration proceedings, and
  - 14 • preventing detention based on false allegations.
- 15

16 Issuing an injunction reinforces the integrity of the judicial process and discourages careless  
17 or reckless reliance on incorrect detainee files.

18  
19 V. REQUESTED RELIEF

20 Petitioner respectfully requests that the Court:

- 21
- 22 I. Enjoin Respondents from continuing to detain Petitioner based on incorrect or  
23 misidentified exhibits;
- 24

- 1 2. Order Petitioner's immediate release, or in the alternative,
- 2 3. Order a new custody determination free from reliance on any exhibits or allegations not
- 3 specifically tied to Petitioner Jingyi Ma (A# )
- 4
- 5 4. Stay removal or transfer pending final resolution of the habeas petition; and
- 6 5. Grant any further relief the Court deems just and proper.
- 7

8 VI. NO SECURITY REQUIRED

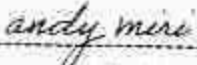
9  
10 No bond should be required under Rule 65(c) because this action involves enforcement of  
11 constitutional rights and habeas jurisdiction. See *Hernandez*, 872 F.3d at 1002.

12  
13 VII. CONCLUSION

14 Because Petitioner remains detained based on false factual premises and wrong-person  
15 evidence, immediate injunctive relief is necessary to prevent ongoing constitutional harm and to  
16 protect this Court's habeas jurisdiction.

17  
18 DATED this 26 of January, 2026.

19 Law Offices of Andy Miri

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22 Attorneys for Petitioner