

TEMPORARY RESTRAINING ORDER (TRO) MOTION

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

EMMANUEL S. YIRENKYI,
Petitioner,

v.

Respondents.

FILED
WILLIAMSPORT

DEC 15 2025

PER EA
DEPUTY CLERK

EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER (TRO)

Petitioner, Emmanuel S. Yirenkyi, respectfully moves this Court for an immediate Temporary Restraining Order preventing ICE, its agents, or any affiliated officers from transferring him from Clinton County Correctional Facility while his pending habeas corpus petition is under review. Petitioner is currently detained at Clinton County Correctional Facility in McElhattan, Pennsylvania, within this Court's jurisdiction.

A transfer would irreparably harm Petitioner by disrupting this Court's jurisdiction, obstructing Petitioner's ability to litigate his habeas petition, interfering with access to legal documents, and potentially placing him in a facility preparing for removal despite an active Third Circuit stay request. Courts have repeatedly recognized that transfer during habeas litigation constitutes irreparable harm.

Petitioner is likely to succeed on the merits of his habeas petition because his seven-month detention violates *Zadvydas v. Davis*, *Diop v. ICE*, *Chavez-Alvarez v. Warden*, and *Guerrero-Sanchez v. Warden*. The balance of equities favors Petitioner, as Respondents suffer no prejudice by maintaining him in his current facility. A TRO serves the public interest by preserving judicial review and preventing constitutional violations.

Petitioner respectfully requests that this Court issue an immediate TRO preventing any transfer until final resolution of his habeas petition.

Respectfully submitted,

Emmanuel S. Yirenkyi

Petitioner, Pro Se

PROPOSED ORDER

[PROPOSED ORDER]

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TEMPORARY RESTRAINING ORDER

AND NOW, this ____ day of _____, 2025, upon consideration of Petitioner Emmanuel S. Yirenyi's Emergency Motion for a Temporary Restraining Order, it is hereby ORDERED:

1. Respondents, including ICE and any affiliated officers or agents, ARE IMMEDIATELY RESTRAINED AND ENJOINED from transferring Petitioner from Clinton County Correctional Facility during the pendency of his habeas corpus proceedings.
2. Respondents SHALL provide immediate written notice to the Court and to Petitioner before taking any action that may affect Petitioner's custody location.
3. This Order shall remain in effect until further order of the Court.

IT IS SO ORDERED.

UNITED STATES DISTRICT JUDGE