

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

ROGER HUMBERTO NUNEZ-SARMIENTO)

Alien Registration Number )

Petitioner,)

v.)

THE GEO-GROUP, INC., Owner of Jena/LaSalle)
Detention Facility, BRIAN ACUNA, Field Office)
Director, New Orleans Office of U.S. Immigration and)
Customs Enforcement; KRISTI NOEM, Secretary,)
U.S. Department of Homeland Security; PAMBONDI,)
Attorney General of the United States, U.S.)
Department of Justice.)

Respondents.)

Case No. 1:25-cv-02035

JUDGE:

MAGISTRATE JUDGE:

**MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY
INJUNCTION PURSUANT TO FED. R. CIV. P. 65 AND LOCAL RULE 7**

Plaintiffs, by and through counsel, respectfully request this court to grant an emergency hearing, order to show cause, and a temporary restraining order and preliminary injunction directing specific action by Defendants to ensure that Plaintiff is able to exercise his right to a hearing to have his day in court to adjudicate his case. Plaintiff moves this Court to enter a temporary restraining order pursuant to Fed. R. Civ. P. 65(b) and Local Rule 7, and thereafter, a preliminary injunction pursuant to Fed. R. Civ. P. 65(a), against the Defendants listed in the above caption.

Grounds for this Motion, as set forth in the Memorandum below, is that Plaintiff is likely to succeed on his claims that Defendants' actions violate the First Amendment, the Fifth Amendment, and the Fourteenth Amendment of the U.S. Constitution; and Sections Two, Seven, Nine, Thirteen, and Sixteen of Article I of the Louisiana Constitution. Plaintiff will be irreparably

harm without an order of this Court; and the public interest favors the issuance of an injunction. This Motion is based on the pleadings, the Memorandum, the accompanying Declarations by Plaintiff, oral argument if granted by the Court, and such other evidence that may come before the Court in this case.

PRAYER FOR RELIEF

Upon the respective exhibits provided therewith, and the accompanying Memorandum of Law, Plaintiffs respectfully move this Court to enter a temporary restraining order and preliminary injunction (and thereafter Preliminary and Permanent Injunctive Relief) against Defendants and their officers, employees, or agents, and those acting on their behalf or in concert with them, as follows:

Respondents, their officers, agents, servants, employees, attorneys, and other persons acting on their behalf are immediately prohibited from removing Petitioner, Roger Humberto Nuñez-Sarmiento, from the United States and from transferring him out of the jurisdiction of this Court. Unless extended by this Court, this Temporary Restraining Order is to expire thirty (30) days from its entry. No security bond is required under Federal Rule 65(c) because Respondents face no realistic likelihood of harm from this Order. *J.R. v. Bostock*, 2025 WL 1810210 at *4 (W.D. Wash. 2025) (citing *Jorgensen v. Cassidy*, 320 F.3d 906, 919 (9th Cir. 2003)).

WHEREFORE, it is respectfully requested that this Court grant this application for a temporary restraining order and preliminary injunction.

DATED: December 15, 2025

[PLEASE SEE SIGNATURE BLOCK ON THE FOLLOWING PAGE.]

Respectfully submitted,

MIGUEL A. ELIAS, APLC


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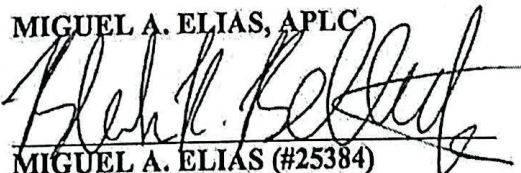
**CERTIFICATION OF NOTICE TO OPPOSING COUNSEL PURSUANT TO
FED. R. CIV. P. 65(b)(1)(B)**

Pursuant to Fed. R. Civ. P. 65(b)(1)(B), I certify that I have sent a copy of this pleading and associated documents to the captioned defendants, via either fax or email and I have additionally notified them by telephone.

DATED: December 15, 2025

Respectfully submitted,

MIGUEL A. ELIAS, APLC


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