

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION

DONALD ESTUARDO BRAVO CABRERA)	
)	
Petitioner,)	
)	
v.)	CASE NO.:
)	7:25-cv-198-LAG-AGH
)	
SHERIFF CODY YOUGHN, <i>in his official capacity</i>))	
<i>as Warden of the Irwin County Detention Center</i>)	
TODD LYONS, <i>in his official capacity as Acting</i>)	
<i>Director of Immigration and Customs</i>)	
<i>Enforcement; and</i>)	
KRISTI NOEM, <i>Secretary of Homeland Security</i>)	
And PAMELA BONDI, <i>U.S. Attorney General.</i>)	
)	
Respondents.)	
_____)	

**PETITIONER’S EMERGENCY MOTION FOR
TEMPORARY RESTRAINING ORDER AND/OR PRELIMINARY INJUNCTION**

COMES NOW Petitioner, Donald Estuardo Bravo Cabrera, to file this Emergency Motion for Temporary Restraining Order and/or Preliminary Injunction. Petitioner hereby requests the Court to issue a temporary restraining order and/or preliminary injunction, pursuant Fed. R. of Civ. P. 65, to “prevent irreparable injury so as to preserve the court's ability to render a meaningful decision on the merits,” and “to insure that a remedy will be available.” *U.S. v. State of Ala.*, 791 F.2d 1450, 1459 (11th Cir. 1986), citing *Corrigan Dispatch Co. v. Casa Guzman, S. A.*, 569 F.2d 300, 302 (5th Cir. 1978).

Petitioner was detained on a public roadway without prior notice, probable cause, or any meaningful opportunity to be heard, in clear violation of governing agency regulations and the 4th Amendment. He has been in ICE’s custody since December 8, 2025. His apprehension stems from

an unlawful arrest and lacks any legitimate legal basis, constituting a violation of both procedural and substantive due process, as no probable cause existed for the arrest. The facts alleged demonstrate that ICE officers lacked any specific, articulable suspicion linking Petitioner to criminal activity or flight risk, relying instead on generalized assumptions and impermissible factors such as ethnicity or mere presence in a surveilled location. Such conduct constitutes an unconstitutional seizure under the Fourth Amendment, as race or ethnicity cannot serve as a lawful basis for a traffic stop or investigatory detention (*Whren v. United States*, 517 U.S. 806 (1996)). Thus, his subsequent transfer to ICE custody is tainted by this initial illegality, further rendering Petitioner's current detention unlawful and the only appropriate remedy is immediate release. And upon transfer to ICE custody, no findings were made regarding risk, his ties to the community, or any purported danger he might pose. Petitioner faces ongoing harm due to the unlawful nature of his detention. Because no administrative remedy exists, immediate judicial intervention is necessary to prevent irreparable harm.

Through the instant Motion, Petitioner seeks to restrain U.S. Immigration and Customs Enforcement (ICE) from continuing to unlawfully detain him and to preserve the status quo ante while this Court considers the merits of their Writ of Habeas Corpus. In addition, there is no remedy at law that can adequately compensate Petitioner for the consequences of his continued unlawful detention that is causing irreparable harm including deterioration of his mental and physical health and separation from family and friends that may have irreversible impacts. Each day of confinement causes irreparable harm, deprives him of liberty in violation of the Constitution, and frustrates the statutory scheme.

This Emergency Motion for Temporary Restraining Order and/or Preliminary Injunction is necessary, just, and of an imminent nature because Petitioner has a substantial likelihood of

success on the merits of the complaint; Petitioner will suffer irreparable harm in the absence of injunctive relief; there is no adequate remedy available at law; the balance of hardships favor Petitioner, and the requested injunctive relief will not harm the public interest.

The facts and legal arguments supporting this motion are set forth in detail Petitioner's Memorandum of Authorities in Support of Emergency Motion for Temporary Restraining Order and/or Preliminary Injunction filed contemporaneously herewith.

WHEREFORE, for the reasons set forth in the accompanying brief, Petitioner respectfully prays that the Court grant his Emergency Motion for Temporary Restraining Order and/or Preliminary Injunction through which he requests the Court issue the following orders and set the case for a hearing on the instant Motion:

1. ORDER Respondents to immediately release Petitioner;
2. HOLD an evidentiary hearing on the matter in order to hear testimony from Petitioner regarding the circumstances leading to his arrest;
3. ENJOIN Respondents from re-detaining Petitioner unless he has committed a new violation of any federal, state, or local law, or has failed to attend any properly noticed immigration or court hearing or is subject to detention pursuant to a final order of removal;
4. GRANT such other and further relief as the Court deems just and proper.

Should the Court have questions, we hereby request an expedited emergency hearing to be scheduled (virtually if possible).

Respectfully submitted this 20th, December, 2025.

/s/ Karen Weinstock

Karen Weinstock

Attorney for Petitioners

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CERTIFICATE OF SERVICE

I certify that on December 20th, 2025, I electronically filed the foregoing DOCUMENT with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to Respondents' attorney(s) of record.

/s/ Karen Weinstock

Karen Weinstock

Attorney for Petitioners

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