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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

EUDOR ROBERTO MORALES DIAZ, Case No. TBD

Petitioner,

v.

JOHN CANTU of Enforcement and Removal Operations, Phoenix Field Office, Immigration and Customs Enforcement; KRISTI NOEM, Secretary, U.S. Department of Homeland Security; PAMELA BONDI, U.S. Attorney General; TODD LYONS, Acting Director of Immigration and Customs Enforcement,; WARDEN, Florence Service and Processing Center. Respondents.

Respondents.

**[PROPOSED] ORDER GRANTING  
PETITIONER’S EX PARTE  
MOTION FOR TEMPORARY  
RESTRAINING ORDER AND  
MOTION FOR PRELIMINARY  
INJUNCTION**

This matter has come before this Court on Petitioners’ Motion for Temporary Restraining Order and Preliminary Injunction. The Court has carefully considered all the filings, the arguments of counsel, and the record in this case.

Petitioners are entitled to a temporary restraining order if he establishes that he is “likely to succeed on the merits, . . . likely to suffer irreparable harm in the absence of preliminary relief, that the balance of equities tips in [their] favor, and that an injunction is in the public interest.” *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008); *Stuhlberg Int’l Sales Co. v. John D. Brush & Co.*, 240 F.3d 832, 839 n.7 (9th Cir. 2001). Absent a showing of likelihood of success on the merits, the Court may still grant a temporary restraining order if Petitioners raise “serious questions” as to the merits of

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their claims, the balance of hardships tips “sharply” in their favor, and the remaining equitable factors are satisfied. *Alliance for the Wild Rockies v. Cottrell*, 632 F.3d 1127 (9th Cir. 2011). Further, under the Administrative Procedure Act, to prevent irreparable injury, the Court may issue “all necessary and appropriate process . . . to preserve status or rights pending” these proceedings. 5 U.S.C. § 705.

Upon consideration of Petitioners’ Motion for Temporary Restraining Order, and finding sufficient cause, the application is **GRANTED**, and **IT IS FURTHER ORDERED** that:

Respondents are ordered to provide a bond redetermination hearing before an immigration judge withing seven days of this Order.

This Order shall be in effect for a period of \_\_\_\_\_ days from entry hereof, after which it shall expire absent further order of the Court.

As this Order should not result in any financial damage to Respondents, Petitioner shall not be required to give security. Fed. R. Civ. P. 65(c).

Respondents are hereby ORDERED TO SHOW CAUSE why a preliminary injunction should not issue. Respondents shall file any response to the Order to Show Cause on or before \_\_\_\_\_, and Petitioner shall file any reply on or before \_\_\_\_\_. The Court will hear argument on whether a preliminary injunction should issue at \_\_\_\_\_ on, \_\_\_\_\_ 2025.

Respondents are also hereby ENJOINED from transferring Petitioner out of this judicial district while his habeas corpus petition is pending.

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IT IS SO ORDERED.

Date: \_\_\_\_\_, 2025.

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United States District Judge