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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

MOHAMMAD YASIN REZAAE

Petitioner,

v.

CHRISTOPHER CHESTNUT, WARDEN OF
CALIFORNIA CITY CORRECTIONS
CENTER; TODD M. LYONS, Acting Director,
ICE; KRISTI NOEM, Secretary of DHS; PAM
BONDI, Attorney General,

Respondents.

Civil Action No. 3:26-cv-00020-AMO

**MOTION FOR TEMPORARY
RESTRAINING ORDER AND
EXPEDITED HEARING**

ALIEN NUMBER:



**MOTION FOR TEMPORARY RESTRAINING ORDER AND
EXPEDITED HEARING**

Petitioner respectfully moves for emergency relief and an expedited hearing pursuant to Fed. R. Civ. P. 65 and the Court's habeas authority.

I. RELIEF REQUESTED

Petitioner seeks:

1. A temporary restraining order requiring Respondents to provide a constitutionally adequate bond hearing within 14 days;

2. Alternatively, immediate release if no hearing is provided;
3. An expedited briefing schedule and prompt hearing on the Petition.

II. LEGAL STANDARD

A TRO may issue where:

1. Petitioner is likely to succeed on the merits;
2. He faces irreparable harm;
3. The balance of equities favors relief;
4. Relief serves the public interest

III. LIKELIHOOD OF SUCCESS

Petitioner has been detained for a prolonged period without a bond hearing. Courts consistently hold that prolonged civil immigration detention without procedural safeguards violates due process. Under *Mathews v. Eldridge*, continued detention without a hearing is unconstitutional.

IV. IRREPARABLE HARM

Loss of physical liberty constitutes irreparable injury. Each day of unconstitutional detention is a continuing constitutional harm that cannot be remedied after the fact.

V. BALANCE OF EQUITIES

A bond hearing merely ensures procedural fairness. It does not mandate release. The Government retains authority to detain if it meets its burden.

VI. PUBLIC INTEREST

The public interest is always served by preventing unconstitutional detention and ensuring due process.

VII. NEED FOR EXPEDITED CONSIDERATION

Petitioner remains detained daily without constitutionally required process. Delay prolongs irreparable harm. Courts routinely expedite habeas proceedings involving unlawful detention.

VIII. CONCLUSION

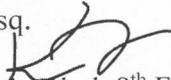
Petitioner respectfully requests that the Court:

- Issue a TRO requiring a bond hearing within 14 days,
- Set an expedited briefing schedule,
- Schedule a prompt hearing.

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Respectfully submitted,

Dated: January 28, 2026

Kamran Joya, Esq.
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**DECLARATION OF COUNSEL IN
SUPPORT OF MOTION FOR
TEMPORARY RESTRAINING ORDER**

ALIEN NUMBER: 

**DECLARATION OF COUNSEL IN SUPPORT OF MOTION FOR
TEMPORARY RESTRAINING ORDER**

I, **Kamran Joya**, declare as follows:

1. I am counsel of record for Petitioner Mohammad Yasin Rezaee in this action. I have personal knowledge of the matters stated herein and, if called as a witness, could and would competently testify to them.
2. Petitioner is currently detained by Immigration and Customs Enforcement (“ICE”) at California City Corrections Center in California.

- 1 3. Petitioner has been in continuous civil immigration detention since **June 24, 2025**.
- 2 4. To date, Petitioner has **not received a bond hearing** before an Immigration Judge at which the
- 3 Government was required to justify his continued detention.
- 4 5. Petitioner has a pending appeal before the Board of Immigration Appeals. His immigration
- 5 proceedings are therefore not final.
- 6 6. Petitioner remains confined under custodial conditions and is deprived of physical liberty on a
- 7 daily basis.
- 8 7. Each day Petitioner remains detained without a constitutionally required bond hearing constitutes
- 9 an ongoing deprivation of liberty and an irreparable constitutional injury.
- 10 8. Petitioner seeks only procedural relief in this action – specifically, a bond hearing where the
- 11 Government must justify detention – and does not seek adjudication of the merits of his
- 12 immigration case in this Court.
- 13 9. Without expedite judicial intervention, Petitioner will continue to suffer loss of liberty without
- 14 due process.
- 15 10. Based on the prolonged duration of detention and absence of a bond hearing, counsel believes
- 16 emergency relief is necessary to prevent further constitutional harm.

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18 I declare under penalty of perjury under the laws of the United States that the foregoing is true and
19 correct.

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21 Dated: January 28, 2026

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