

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA

DAVID SAINT REMY,)
Petitioner,) Case No. 3:26-cv-00028-MMH-SJH
V.)
PAM BONDI, Attorney General of)
the United States; KRISTI L. NOEM,)
Secretary, Department of Homeland)
Security; TODD LYONS, Acting Director,)
U.S. Immigration and Customs)
Enforcement; GARRETT J. RIPA,)
Field Office Director - Miami ERO;)
and RONNIE WOODALL, Warden -)
Baker Correctional Institution.)
Respondents.)

EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

Petitioner, David Saint Remy (or “Mr. Saint Remy”) has filed a Petition for Habeas Corpus (Doc. 1) requesting release from his indefinite detention. Petitioner respectfully requests an emergency temporary restraining order (“TRO”), prohibiting Respondents from transferring or deporting Petitioner while his Petition for Habeas Corpus is adjudicated before this Court.

As set forth in Petitioner’s Memorandum of Law in Support of this Motion (“Memorandum”), a TRO is appropriate and necessary in this matter to ensure

Petitioner's due process rights. Petitioner has shown (1) a substantial likelihood of success on the merits; (2) that irreparable injury will occur unless the injunction issues; (3) that the injunction would not substantially harm the other litigant; and (4) that the injunction would not be adverse to the public interest. *See Long v. Sec'y, Dep't of Corr.*, 924 F.3d 1171 (11th Cir. 2019).

Petitioner previously requested release from immigration detention through a request for Humanitarian Parole. *See* Ex. F. Respondents never responded to this request. Petitioner's counsel has further informed Respondents of the Petition and requested confirmation that Petitioner will not be removed or transferred while his Petition is pending. *See* Ex. G. Again, Respondents declined to respond. Therefore, Petitioner has given notice, and no further notice should be required, as Petitioner has no further options available to ensure Petitioner's rights to due process. Therefore, the Petitioner requires intervention from this Court.

Petitioner further requests that the Court waive any security required for an emergency temporary restraining order. This Court has broad discretion as to whether to require a bond. *See BellSouth Telecomms., Inc. v. MCI Metro Access Transmission Servs., Ltd. Liab. Co.*, 425 F.3d 964, 971 (11th Cir. 2005) (“the amount of security required by the rule is a matter within the discretion of the trial court and the court may elect to require no security at all.”)(citing *City of Atlanta*

v. Metro. Atlanta Rapid Transit Auth., 636 F.2d 1084, 1094 (5th Cir. Unit B 1981). Courts will often consider such factors as any burden upon the defendant and the plaintiff's financial condition. *See BellSouth Telecomms., Inc.*, 425 F.3d at 971 ("noting the lower court was "well within the bounds of its discretion" in ordering a low bond); *see also Metro. Atlanta Rapid Transit Auth.*, 636 F.2d at 1094 (declining to require a bond based on the plaintiff's financial condition).

A TRO will not prejudice Respondents, as Petitioner is already detained at Baker Correctional Institution ("Baker"), and maintaining his detention at this location will cause no further burden upon Respondents. Further, Petitioner is indigent and currently in ICE custody, prohibiting his ability to provide security for this Motion.

For the reasons set forth in Petitioner's Memorandum, attached hereto, Petitioner asks this Court to issue a TRO, waiving bond and any further notice requirements, to ensure that Petitioner can assert his rights to habeas corpus before this Court.

Respectfully submitted this 9th day of January 2026.

A handwritten signature in black ink, appearing to read "Katie Blankenship". The signature is fluid and cursive, with a large loop at the end.

/s/ Katherine H. Blankenship

Katherine H. Blankenship (FL 1031234)

Sanctuary of the South, PLLC

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786-671-8133

Attorney for Petitioner

Certification Pursuant to FRCP Rule 65(b)(1)(B) of Efforts to Give Notice and Reasons Further Notice Should Not Be Required

I, Katherine H. Blankenship, legal counsel for Petitioner David Saint Remy (“Petitioner” or “Mr. Saint Remy”).

I have made the following efforts to provide notice to the Respondents regarding the Plaintiffs Emergency Motion for a Temporary Restraining Order and underlying need for habeas relief and release from indefinite detention:

1. On Petitioner’s behalf, I previously requested Petitioner’s release from immigration detention through a request for Humanitarian Parole. *See* Ex. F. Respondents never responded to this request.
2. I also informed Respondents of Mr. Saint Remy’s Petition for Habeas Corpus and requested confirmation that Petitioner will not be removed or transferred while his Petition is pending. *See* Ex. G. Respondents again declined to respond.

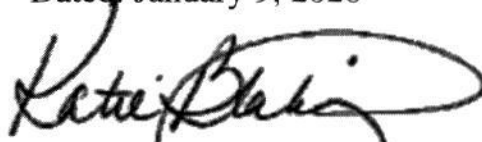
No further notice to Respondents should be required because:

3. Respondents demonstrate a pattern of not responding to requests and notice from counsel. This lack of response shows that further efforts to communicate with Respondents will prove unfruitful, and thus Petitioner requires intervention from the Court.

4. Immediate and irreparable harm will result to the Petitioner without a TRO securing his presence throughout the adjudication of his Petition. The Petitioner is at imminent risk of being transferred or deported to an unknown third country, which would further delay or obstruct the Plaintiff's ability to pursue his Petition and other legal remedies. Frequent transfers and removals without notice are common in immigration detention. Such a transfer or removal will delay and obstruct Petitioner's due process rights.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: January 9, 2026



/s/ Katherine H. Blankenship

Katherine Blankenship

Katherine H. Blankenship (FL 1031234)

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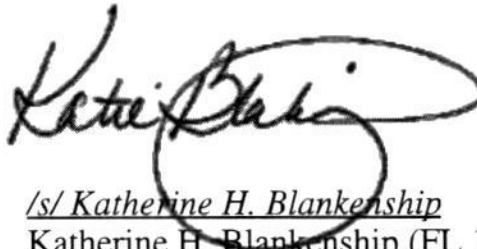
786-671-8133

Attorney for Petitioner

Certificate of Service

I hereby certify that on January 9, 2026, a true and correct copy of the foregoing Emergency Motion for Temporary Restraining Order was served via electronic ECF filing.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Katie Blankenship". The signature is written in a cursive style with a large loop at the end.

/s/ Katherine H. Blankenship
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