

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Feisal Mohamed Omar

Petitioner,

v.

Kristi NOEM, Secretary, U.S. Department of
Homeland Security; Department of
Homeland Security, in her official capacity;

Todd M. LYONS, Acting Director of
Immigration and Customs Enforcement;
Immigration and Customs Enforcement, in
his official capacity;

Peter BERG, Director, St. Paul Field Office,
Immigration and Customs Enforcement, in
his official capacity;

Samuel J. OLSON, Field Office Director of
Enforcement and Removal Operations,
Chicago Field Office, Immigration and
Customs Enforcement, in his official
capacity;

Joel BROTT, Sheriff of the Sherburne
County Jail in Sherburne County, Minnesota,
custodian of detainees of the Sherburne
County Jail,

Respondents.

Case No.: 26-cv-00081-JMB-ECW

**PETITIONER'S MOTION FOR A
TEMPORARY RESTRAINING ORDER**

[EXPEDITED HANDLING REQUEST]

Pursuant to Fed. R. Civ. P. 56, Petitioner, though undersigned counsel, requests that the Court grant an Emergency Temporary Restraining Order (TRO) enjoining Respondents from removing Petitioner from the District of Minnesota during the pendency of his Petition for a Writ of Habeas Corpus. In support thereof, Petitioner states the following:

1. Petitioner has lived in Minnesota for the last 8 years. He has a U.S. citizen partner and child here in Minnesota. *See* Affidavit of Asiya Ali. He is the sole provider for his family, and his 2 year old child has special needs. *Id.*
2. Petitioner has had a pending I-589 Application for Asylum and Withholding of Removal since 2018.
3. Petitioner has an individual merits hearing scheduled for February 2, 2026.
4. Petitioner's counsel, Kelsey Hines, who represents him in his asylum case, is located here in Minnesota.
5. If Petitioner is transferred out of the District of Minnesota, it will limit his access to his counsel, Attorney Hines, and make her representation more difficult.
6. Furthermore, if this Court ultimately grants Petitioner's release, he would be forced to pay his own travel costs back to Minnesota. Petitioner has limited financial resources, as his life, and that of his family, have been disrupted due to Respondent's likely unlawful actions in detaining him.

Therefore, Petitioner, through counsel, requests that the Court grant this Emergency Temporary Restraining Order and enjoin Respondents from removing him from the District of Minnesota, during the pendency of this proceeding for a writ of habeas corpus.

Dated: January 8, 2026

/s/ Evangeline Dhawan-Maloney
Evangeline Dhawan-Maloney
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