

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CARLOS FERNANDO BOLOM TZI

Petitioner,

v.

JL JAMISON, WARDEN.

Federal Detention Center

Respondent.

Civil Action No. _____

**EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER AND
ORDER TO SHOW CAUSE**

Immigration Habeas Case

INTRODUCTION

Petitioner, by and through undersigned counsel, respectfully moves this Court pursuant to **Fed. R. Civ. P. 65(b), 28 U.S.C. § 2241, and Local Civil Rule 65.1** for an **Emergency Temporary Restraining Order** to prevent imminent and irreparable harm arising from Petitioner's unlawful detention and/or removal while the accompanying Petition for Writ of Habeas Corpus is pending.

FACTUAL BACKGROUND

1. Petitioner is a citizen and a national of GUATEMALA, currently detained at the Philadelphia Federal Detention Center located at 700 Arch Street, within the jurisdiction of this Court.
2. Petitioner has a properly filed application for asylum presently pending before the Immigration Court. (Exhibit A)
3. On or about November 24, 2025, the Immigration Court sent petitioner a notice scheduling a master hearing for November 3, 2026. (Exhibit "B")
4. Petitioner should be given the opportunity to present the asylum claim to the Immigration Court so that he is not forced to return to my country which he fears returning and from which he is trying to flee.
5. Since he entered the U.S. on or about March 9, 2019 and to this day, petitioner has not committed any crimes.
6. As a result of his application for asylum he has been issued a card authorizing him to work in the U.S. and he has been legally employed.
7. ICE has apprehended the petitioner and intends to remove despite the existence and the pendency of a properly filed asylum case currently pending before the Immigration Court.

8. Removal before adjudication of the habeas petition will cause irreparable harm, including the possibility/probability of being subjected to violence, loss of legal rights, and potential persecution.

LEGAL STANDARD

Under **Fed. R. Civ. P. 65(b)** and **E.D. Pa. Local Civil Rule 65.1**, a TRO may issue without notice to the adverse party if specific facts in an affidavit or verified complaint clearly show that immediate and irreparable injury will result before the adverse party can be heard.

The Third Circuit applies the four-factor test:

- (1) likelihood of success on the merits.
- (2) irreparable harm absent relief.
- (3) balance of equities; and
- (4) public interest. *See Kos Pharm., Inc. v. Andrx Corp.*, 369 F.3d 700 (3d Cir. 2004).

ARGUMENT

1. **Likelihood of Success** – Petitioner’s detention/removal violates statutory and constitutional protections, including due process under the Fifth. and the Fourteenth amendments
2. **Irreparable Harm** – Deportation before judicial review would permanently deprive Petitioner of the ability to pursue lawful relief.
3. **Balance of Equities** – The harm to Petitioner outweighs any administrative burden on Respondents.
4. **Public Interest** – Upholding constitutional rights and ensuring lawful process serves the public interest.

REQUEST FOR RELIEF

Petitioner respectfully requests that this Court:

1. Issue a Temporary Restraining Order Enjoining Respondents from removing Petitioner from the United States until final resolution of the Habeas petition.
2. Order Respondents to show cause why a preliminary injunction should not be issued; and
3. Grant such other relief as the Court deems just and proper.

PROPOSED ORDER

AND NOW, this ___ day of _____, 2026, upon consideration of Petitioner's Emergency Motion for Temporary Restraining Order, it is hereby ORDERED that:

1. Respondents, and all persons acting on their behalf, are temporarily restrained from removing Petitioner from the United States pending further order of this Court;
2. Respondents shall appear before this Court on the ___ day of _____, 2026, at : __. m., to show cause why a preliminary injunction should not issue; and
3. This Order shall remain in effect until further order of the Court.

Respectfully submitted,



Joseph M Rollo Esquire
Joseph M Rollo & Associates P.C.
2527 South Broad Street
Phila Pa 19148
team@rollolawoffice.com

Dated :

EXHIBIT A

On Call!

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
PHILADELPHIA IMMIGRATION COURT

LEAD FILE: [REDACTED]
IN REMOVAL PROCEEDINGS
DATE: Nov 24, 2025
EAD Clock: 943 days elapsed

TO: Joseph M Rollo and Associates PC
Rollo, Christian Anthony
2527 South Broad Street
Philadelphia, PA 19148

RE: [REDACTED] BOLOM-TZI, CARLOS FERNANDO

Notice of Internet-Based Hearing

Your case has been scheduled for a MASTER hearing before the immigration court on:

Your hearing is not in person. You will access your hearing by using the web page below.
URL: <https://eoir.webex.com/meet/IJ.Carle>

Date: Nov 3, 2026
Time: 2:30 P.M. ET
Court Address: 900 MARKET STREET, SUITE 504
5TH FLOOR, PHILADELPHIA, PA 19107

Representation: You may be represented in these proceedings, at no expense to the Government, by an attorney or other representative of your choice who is authorized and qualified to represent persons before an immigration court. If you are represented, your attorney or representative must also appear at your hearing and be ready to proceed with your case. Enclosed and online at <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers> is a list of free legal service providers who may be able to assist you.

Failure to Appear: If you fail to appear at your hearing and the Department of Homeland Security establishes by clear, unequivocal, and convincing evidence that written notice of your hearing was provided and that you are removable, you will be ordered removed from the United States. Exceptions to these rules are only for exceptional circumstances.

Change of Address: The court will send all correspondence, including hearing notices, to you based on the most recent contact information you have provided, and your immigration proceedings can go forward in your absence if you do not appear before the court. If your contact information is missing or is incorrect on the Notice to Appear, you must provide the immigration court with your updated contact information within five days of receipt of that notice so you do not miss important information. Each time your address, telephone number, or email address changes, you must inform the immigration court within five days. To update your contact information with the immigration court, you must complete a Form EOIR-33 either online at <https://respondentaccess.eoir.justice.gov/en/> or by completing the enclosed paper form and mailing it to the immigration court listed above.

EXHIBIT "A"

Internet-Based Hearings: If you are scheduled to have an internet-based hearing, you will appear by video or telephone. If you prefer to appear in person at the immigration court named above, you must file a motion for an in-person hearing with the immigration court at least fifteen days before the hearing date provided above. Additional information about internet-based hearings for each immigration court is available on EOIR's website at <https://www.justice.gov/eoir/eoir-immigration-court-listing>.

In-Person Hearings: If you are scheduled to have an in-person hearing, you will appear in person at the immigration court named above. If you prefer to appear remotely, you must file a motion for an internet-based hearing with the immigration court at least fifteen days before the hearing date provided above.

For information about your case, please call 1-800-898-7180 (toll-free) or 304-625-2050.

The Certificate of Service on this document allows the immigration court to record delivery of this notice to you and to the Department of Homeland Security.

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL PERSONAL SERVICE ELECTRONIC SERVICE
TO: Noncitizen | Noncitizen c/o Custodial Officer |
 E Noncitizen ATT/REP | E DHS
DATE: 11/24/25 BY: COURT STAFF DAP
Attachments: EOIR-33 Appeal Packet Legal Services List Other NH

Use a smartphone's camera to scan the code on this page to read the notice online.

Usa la cámara de un teléfono inteligente para escanear el código de esta página y leer el aviso en línea.

Use a cámara do smartphone para digitalizar o código nesta página e ler o manual de instruções online.

使用智能手机摄像头扫描本页面的代码·即可在线阅读该通知·

ਨੋਟਿਸ ਨੂੰ ਆਨਲਾਈਨ ਪੜ੍ਹਨ ਲਈ ਇਸ ਪੇਜ 'ਤੇ ਕੋਡ ਨੂੰ ਸਕੈਨ ਕਰਨ ਲਈ ਸਮਾਰਟਫੋਨ ਦੇ ਕੈਮਰੇ ਦੀ ਵਰਤੋਂ ਕਰੋ।

অনলাইনে গা-টিপি পড়ার জন্য এই পাতায় অব-ইউজি স্ক্যান করাতে স্মার্টফোন-এর ক্যামেরা ব্যবহার করুন।



सूचना अनलाइनमा पढ्न यस पृष्ठमा कोड स्क्यान गर्न स्मार्टफोनको क्यामेरा प्रयोग गर्नुहोस्।

Sèvi ak kamera yon telefòn entèlijan pou eskane kòd ki nan paj sa a pou li avl a sou entènèt.

استخدم كاميرا الهاتف الذكي لمسح الرمز الموجود في هذه الصفحة لقراءة الإشعار على الإنترنت

Чтобы прочитать уведомление онлайн, отсканируйте код на этой странице с помощью камеры вашего смартфона.

Utilisez l'appareil photo d'un téléphone intelligent pour scanner le code sur cette page afin de lire l'avis en ligne.

EXHIBIT B

LAW OFFICES
JOSEPH M. ROLLO & ASSOCIATES, P.C.
2527 SOUTH BROAD STREET
PHILADELPHIA, PA 19148
TEL. (215) 271-5550
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email: Team@rollolawoffice.com

JOSEPH M. ROLLO, ESQUIRE
ALSO MEMBER N.J. BAR

CHRISTINE M. FLOWERS, ESQUIRE

CHRISTIAN A. ROLLO, ESQUIRE

OF COUNSEL

Avv. Concetta Scalzi-Rome Italy
Avv. Pietro Pegoraro-Termi Italy
Avv. Antonello Armetta-Carini Italy
Avv. Nunzio Currao-Catania Italy

READING, PA OFFICE

537 Court Street
Reading, PA 19601

DATE: Noviembre 24, 2025

TO: **Carlos Fernando Bolom-Tzi**



Attached please find a copy of correspondence, file submission or information we received in connection with your immigration matters. **Please retain this material for your file.**

Adjunto encontrará una copia de una correspondencia que hemos recibido en relación con sus asuntos de inmigración. **Por favor guarde este material para sus archivos.**

(X) Please call the office in October of 2026 to schedule an appointment to prepare for this next hearing.

(X) Por favor llame a la oficina en Octubre del 2026 para programar una cita para prepararnos por esta próxima audiencia.

(X) Hearing date & time:

Noviembre 3, 2026 / 3 de Noviembre del 2026

@ 2:30 pm

(X) Fecha y hora de la audiencia:

**900 Market Street, Suite 504
5th Floor, Philadelphia, PA. 19107**

Joseph M. Rollo
Christine M. Flowers

Uploaded on 9/7/2022 at 2:08:16 p.m. (ET, Eastern Daylight Time) Base City: PHI

Non-Detained

Christian A. Rollo, Esq.
Joseph M. Rollo and Associates, PC
2527 South Broad Street
Philadelphia PA 19148
(215) 271-5550

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
PHILADELPHIA, PENNSYLVANIA**

**IN THE MATTER OF CARLOS
FERNANDO BOLOM TZI**

Respondent

In Removal Proceedings

File No.: A



Next Hearing: September 28th, 2022 at 1:30 P.M.

Before: Honorable John B. Carle

**I-589, APPLICATION FOR ASYLUM AND FOR
WITHHOLDING OF REMOVAL**

EXHIBIT "B"

Uploaded on 9/7/2022 at 2:08:16 pm (Eastern Daylight Time) Base City PHI

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