

1 Gurpreet Kaur, Esq.
2 Law Office of Gurpreet Kaur
3 674 County Square Dr, Suite 305
4 Ventura, CA 93003
5 Ph. 805-300-9003; Cell 909-997-4570
6 Fax: 805-716-6100
7 E-mail: gurpreetkauresq@gmail.com
8 *Attorney for Petitioner*

9
10
11 **IN THE UNITED STATES DISTRICT COURT**
12 **SOUTHERN DISTRICT OF CALIFORNIA**

13 SATNAM SINGH
14
15 Petitioner,
16 v.
17 JEREMY CASEY, Warden of the Imperial
18 Regional Detention Center; TODD LYONS,
19 Acting Director of Immigration and Customs
20 Enforcement; KRISTI NOEM, Secretary of the
21 U.S. Department of Homeland Security; PAMELA
22 BONDI, Attorney General of the United States
23 Respondents.

Civil Action No.

**MOTION FOR TEMPORARY
RESTRAINING ORDER**

24
25
26
27
28 **MOTION FOR TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE RE
PRELIMINARY INJUNCTION**

1 **I. INTRODUCTION**

2 Petitioner Satnam Singh respectfully moves for an emergency Temporary Restraining Order
3 (“TRO”) to halt ongoing, unlawful detention and to prevent further irreparable constitutional injury.
4 Petitioner is currently detained pursuant to the Department of Homeland Security’s July 8, 2025
5 detention policy, which reclassifies noncitizens like Petitioner as subject to mandatory detention under 8
6 U.S.C. § 1225(b) and categorically denies access to bond.
7

8 As set forth in Petitioner’s Verified Petition for Writ of Habeas Corpus, Petitioner entered the
9 United States on April 3, 2024, was served with a Notice to Appear on April 3, 2024, released on
10 supervision, and fully complied with all conditions of release. Despite that compliance—and without
11 notice, without any alleged violation, and without any individualized custody determination—ICE
12 arrested Petitioner on July 27, 2025 at his home while he was taking a shower.
13

14 This detention is arbitrary, unlawful, and ongoing. Each additional day of confinement inflicts
15 irreparable harm by depriving Petitioner of physical liberty, separating him from the community he
16 complied within, and forcing him to litigate his immigration case from detention. Immediate release is
17 necessary to stop a continuing constitutional violation and to preserve this Court’s jurisdiction.
18

19 **II. FACTUAL BACKGROUND**

20 **1. Entry, NTA, and Release**

21 Petitioner is a citizen of India. He entered the United States on April 3, 2024, without inspection.
22 On that same date, April 3, 2024, DHS served Petitioner with a Notice to Appear, initiating removal
23 proceedings. DHS released Petitioner on supervision and placed him in the Alternatives to Detention
24 (“ATD”) program, including electronic monitoring through SmartLink and later a GPS ankle monitor.
25

26 **2. Full Compliance and Lack of Criminal History**
27
28

1 From April 2024 through July 2025, Petitioner fully complied with every condition imposed by
2 DHS and ICE. He appeared for all required check-ins, remained in continuous contact with ICE, and
3 never absconded or missed an appointment. Petitioner has no criminal history and has never been
4 arrested, charged, or convicted of any crime. ICE never alleged that Petitioner posed a danger or flight
5 risk.

6
7 **3. ATD Technical Issues and Good-Faith Reporting**

8 Beginning in late 2024, Petitioner experienced repeated technical malfunctions with SmartLink
9 and later with the ankle monitor, including battery failure and loss of connectivity. Petitioner did not
10 conceal these issues. He repeatedly reported them through SmartLink messages and in person at the ICE
11 office, often multiple times per month. ICE personnel were aware that the issues were technical, not
12 intentional.

13
14 **4. Arrest on July 27, 2025**

15 Despite full compliance and no violation, ICE arrested Petitioner on July 27, 2025, at his home,
16 while he was taking a shower, without prior notice and without alleging any breach of release
17 conditions. Petitioner was not hiding, fleeing, or evading supervision. He answered the door, identified
18 himself, and fully cooperated. ICE provided no individualized justification for detention.

19
20 **III. LEGAL STANDARD**

21 The standards governing a TRO and a preliminary injunction are “substantially identical.”
22 *Stuhlberg Int’l Sales Co. v. John D. Bush & Co.*, 240 F.3d 832, 839 n.7 (9th Cir. 2001).

23
24 A TRO may issue where the movant demonstrates: A likelihood of success on the merits, a
25 likelihood of irreparable harm absent relief, that the balance of equities tips in his favor, and that an
26 injunction is in the public interest. *Winter v. NRDC*, 555 U.S. 7, 20 (2008).

27
28

1 Alternatively, a TRO may issue where serious questions go to the merits and the balance of
2 hardships tips sharply in the movant's favor. *Friends of the Wild Swan v. Weber*, 767 F.3d 936, 942 (9th
3 Cir. 2014).

4 **IV. ARGUMENT**

5 **A. Petitioner Is Likely to Succeed on the Merits**

6
7 Petitioner is detained pre-final order and is therefore governed by 8 U.S.C. § 1226(a), not §
8 1225(b). DHS's July 8, 2025 policy—which purports to strip Immigration Judges of bond authority—
9 contravenes the INA and has been rejected by multiple federal courts. As explained in the Habeas
10 Petition, noncitizens already placed in removal proceedings remain eligible for bond under § 1226(a)
11 notwithstanding DHS's unilateral policy shift.

12
13 Because Petitioner is detained under § 1226(a), continued detention without access to bond
14 violates the INA and the Fifth Amendment.

15 **B. Petitioner Is Suffering Ongoing Irreparable Harm Requiring Immediate Release**

16
17 Loss of physical liberty constitutes irreparable harm as a matter of law. *Melendres v. Arpaio*, 695
18 F.3d 990, 1002 (9th Cir. 2012). Here, Petitioner is suffering continuous and escalating harm every day
19 he remains detained.

20 I CE detained Petitioner without notice, without violation, and without individualized findings,
21 despite more than a year of full compliance. This is not a past injury—it is an ongoing constitutional
22 violation. No later bond hearing or merits ruling can retroactively cure the loss of liberty already
23 inflicted.

24
25 Immediate release is particularly urgent because: Petitioner was arrested inside his home, during
26 ordinary daily activity; ICE never identified any conduct warranting detention; continued detention risks
27
28

1 transfer, which would undermine this Court's jurisdiction; and Petitioner is forced to litigate his habeas
2 claims from custody, compounding prejudice.

3 Courts routinely grant TROs where, as here, detention itself is the injury and continues daily.

4 **C. The Balance of Equities and Public Interest Favor Relief**

5 The balance of equities weighs sharply in Petitioner's favor. DHS previously determined
6 Petitioner posed no danger or flight risk when it released him on bond. Respondents cannot credibly
7 claim harm from either: Releasing Petitioner under conditions, or providing a constitutionally adequate
8 bond hearing.
9

10 Petitioner has demonstrated a clear likelihood of success on the merits and ongoing irreparable
11 deprivation of physical liberty, immediate injunctive relief is warranted. Under Federal Rule of Civil
12 Procedure 65(c), the Court may issue injunctive relief without requiring a bond where, as here, the
13 injunction serves to halt unconstitutional government action and the enjoined party faces no cognizable
14 monetary harm. Continued detention is unlawful, Respondents suffer no financial injury from
15 compliance with federal law, and any bond requirement would be inappropriate. Accordingly, the Court
16 should order Petitioner's immediate release, or alternatively immediate bond eligibility under 8 U.S.C. §
17 1226(a), without security.
18

19 The public interest is served by ensuring that federal agencies comply with the Constitution and
20 the INA. Because the injunction sought would merely halt unconstitutional government action and
21 restore the status quo ante, Rule 65(c) permits waiver of any bond requirement, as Respondents face no
22 cognizable monetary harm from compliance with the Constitution and the INA.
23
24

25 **V. REQUESTED RELIEF**

26 Petitioner respectfully requests that the Court:
27
28

- 1 1. Issue a Temporary Restraining Order Prohibiting Respondents from transferring Petitioner
2 outside the Eastern District of California during the pendency of this action;
- 3 2. Order Petitioner's immediate release, or in the alternative,
- 4 3. Order Respondents to provide an individualized bond hearing before an Immigration Judge
5 within a fixed time period, with the burden on DHS; and
- 6 4. Set an Order to Show Cause re preliminary injunction.

7
8 **V. CONCLUSION**

9 Respondents' continued detention of Petitioner without bond violates the INA, the Fifth
10 Amendment, and binding federal court authority. Immediate injunctive relief is necessary to prevent
11 further irreparable harm and to preserve this Court's jurisdiction.

12
13 Respectfully,

14 Gurpreet Kaur, Esq.
15 **Law Office of Gurpreet Kaur**
16 674 County Square Dr, Suite 305
17 Ventura, CA 93003
18 Ph. 805-300-9003; Cell 909-997-4570
19 Fax: 805-716-6100
20 E-mail: gurpreetkauresq@gmail.com

21 Dated this 17th day of January, 2026.

22
23 
24 _____
25 Gurpreet Kaur, Esq.
26
27
28