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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

**EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER
AND REQUEST FOR IMMEDIATE INJUNCTIVE RELIEF**

**IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS
(28 U.S.C. § 2241)**

PETITIONER: ALBERTO VERDERA MILIAN (A# )
RESPONDENTS: Warden, Broward Transitional Center; U.S. Immigration and Customs Enforcement (ICE); Department of Homeland Security (DHS)

Petitioner, by and through his Next Friend, Yennifer Cruz Milian, respectfully moves this Honorable Court for the issuance of an Emergency Temporary Restraining Order (“TRO”) pursuant to Rule 65 of the Federal Rules of Civil Procedure, to prevent irreparable harm while this Court considers the pending Petition for Writ of Habeas Corpus and related motions.

I. EMERGENCY FACTUAL CIRCUMSTANCES

Petitioner is currently detained under conditions that pose an immediate and serious threat to his physical and psychological well-being. He has suffered prolonged exposure to extreme cold, severe medical neglect, partial hearing loss, unsanitary confinement, food deprivation, and continuous psychological abuse.

Petitioner has also been subjected to coercion and threats intended to force him to sign deportation documents. Continued detention under these conditions creates an imminent risk of permanent injury and irreparable harm.

II. LEGAL STANDARD FOR TEMPORARY RESTRAINING ORDER

A Temporary Restraining Order is warranted where the movant demonstrates: (1) a substantial likelihood of success on the merits; (2) a substantial threat of irreparable harm; (3) that the balance of equities favors relief; and (4) that issuance of the injunction serves the public interest. See *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7 (2008).

III. ARGUMENT

A. LIKELIHOOD OF SUCCESS ON THE MERITS

Petitioner has demonstrated clear constitutional violations, including unlawful arrest, inhumane conditions of confinement, deliberate indifference to serious medical needs, and coercive practices. See *Bell v. Wolfish*, 441 U.S. 520 (1979); *Estelle v. Gamble*, 429 U.S. 97 (1976); *Zadvydas v. Davis*, 533 U.S. 678 (2001).

B. IRREPARABLE HARM

Continued exposure to unconstitutional conditions, untreated medical conditions, and psychological abuse constitutes irreparable harm that cannot be remedied through monetary damages.

C. BALANCE OF EQUITIES

D. PUBLIC INTEREST

The public interest is served by ensuring compliance with the Constitution, humane treatment of civil detainees, and preventing unlawful detention and coercion.

IV. RELIEF REQUESTED

WHEREFORE, Petitioner respectfully requests that this Court:

1. Issue a Temporary Restraining Order prohibiting Respondents from removing or transferring Petitioner;
2. Order Respondents to immediately cease all coercion, threats, and retaliation;
3. Order Respondents to provide immediate and adequate medical care;
4. Order Respondents to ensure humane conditions of confinement;
5. Grant any other relief deemed just and proper.

VERIFICATION

I, Yennifer Cruz Milian, declare under penalty of perjury that the foregoing is true and correct.



Yennifer Cruz Milian
Next Friend for Petitioner

Date: 01/23/26

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

PROPOSED ORDER GRANTING TEMPORARY RESTRAINING ORDER

THIS CAUSE came before the Court upon Petitioner's Emergency Motion for Temporary Restraining Order. Having reviewed the motion and the record, the Court finds that Petitioner has demonstrated a substantial likelihood of success on the merits, a substantial threat of irreparable harm, and that the balance of equities and public interest favor immediate injunctive relief.

IT IS HEREBY ORDERED AND ADJUDGED that:

1. Respondents, their agents, employees, and all persons acting in concert with them, are TEMPORARILY RESTRAINED from removing, deporting, or transferring Petitioner, ALBERTO VERDERA MILIAN (A# ~~XXXXXXXXXX~~), from the Southern District of Florida or the United States;
2. Respondents shall immediately cease any form of coercion, intimidation, retaliation, or pressure to sign deportation documents;
3. Respondents shall immediately provide Petitioner with adequate medical evaluation, treatment, and any necessary specialist care;
4. Respondents shall ensure Petitioner is held under humane conditions consistent with constitutional requirements;
5. This Temporary Restraining Order shall remain in effect pending further order of this

DONE AND ORDERED in Chambers at _____, Florida, this ____ day
of _____, 2026.

UNITED STATES DISTRICT JUDGE