

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

MELVI ALEXANDER MATA
GUEVARA

Petitioner,

v.

DAVID EASTERWOOD, Field Office
Director of Enforcement and Removal
Operations, St. Paul Field Office,
Immigration and Customs
Enforcement;

KRISTI NOEM, in her official capacity
as Secretary of the U.S. Department of
Homeland Security;

TODD LYONS, in his official capacity
as acting director of U.S. Immigration
and Customs Enforcement;

PAM BONDI, in her official capacity as
Attorney General of the United States.
Respondents.

Case No. 26-789

**PETITIONER'S EMERGENCY
MOTION FOR TEMPORARY
RESTRAINING ORDER AND
PRELIMINARY INJUNCTION
WITH EXPEDITED
HANDLING**

**PETITIONER'S EMERGENCY MOTION FOR TEMPORARY
RESTRAINING ORDER AND PRELIMINARY INJUNCTION WITH
EXPEDITED HANDLING**

Mr. Melvi Alexander Mata Guevara (“Petitioner”), pursuant to 28 U.S.C. § 2241, the Fifth Amendment of the United States Constitution, 8 U.S.C. §§ 1101 *et seq.* (“the INA”), 5 U.S.C. §§ 701 *et. seq.* (the “APA”), and Rule 65(a) and (b) of the Federal Rules of Civil Procedure, moves the Court for entry of a Temporary Restraining Order and Preliminary Injunction enjoining Respondents, and all persons acting on Respondents’ behalf, from continuing to infringe on Petitioner’s constitutional rights by continuing to detain Petitioner, or taking any other related enforcement action against Petitioner. The moving party does not intend at this time to present witness testimony at an evidentiary hearing.

The reasons in support of this Motion are set forth in the accompanying Memorandum of Points and Authorities. As set forth in the Points and Authorities in support of this Motion, Petitioner raises that he warrants an emergency temporary restraining order due to his weighty liberty interests under the Due Process Clause of the Fifth Amendment in remedying his unlawful detention.

WHEREFORE, Petitioner prays that this Court grant his request for a temporary restraining order enjoining Respondents from continuing to detain Petitioner pending these proceedings, and removing Petitioner from the United States pending these proceedings. The only mechanism to ensure

that Petitioner does not continue to be unlawfully detained, transferred, or removed in further violation of his due process rights is an ex-parte temporary restraining order from this Court.

DATED: January 28, 2026

Respectfully submitted,

/s/ Gloria Contreras Edin
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