

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Charnjit SINGH,

Petitioner,

v.

DAVID EASTERWOOD, *et al.*,

Respondents.

Civil Action No. 26-926

**PETITIONER'S MOTION FOR
TEMPORARY RESTRAINING
ORDER AND PRELIMINARY
INJUNCTION**

**PETITIONER'S MOTION FOR TEMPORARY RESTRIANING ORDER AND
PRELIMINARY INJUNCTION**

Petitioner Charnjit SINGH moves for an emergency Temporary Restraining Order and Preliminary Injunction under Federal Rule of Civil Procedure 65 to prevent irreparable injury pending final adjudication of Petitioner's Petition for Writ of Habeas Corpus. In support of this Motion, Petitioner states:

1. This Motion is supported by the accompanying Brief in Support of Petitioner's Motion for a Temporary Restraining Order and Preliminary Injunction, Petition for a Writ of Habeas Corpus, exhibits, declarations, and any other material the Court may consider at any hearing on this Motion.

2. As is more fully set out in Petitioner's Petition for a Writ of Habeas Corpus and Brief in Support of Motion for Temporary Restraining Order and Preliminary Injunction, Charnjit has been granted deferred action. That deferred action has not been terminated, therefore, Petitioner is unremovable from the United States and his continued

detention is unlawful and any action taken to carry out his removal would also be unlawful. Additionally, Petitioner has been issued a U-Visa Bona Fide determination and is likely to be issued a U-Visa precipitously. Charnjit and his family are suffering and will continue to suffer irreparable harm if he is removed from the United States before a decision has been issued on the Petition. Because the balance of equities and the public interest weigh heavily in favor of granting the injunction and allowing Charnjit to await a decision on the Petition, this motion should be granted. *See Dataphase Sys., Inc. v. C L Sys., Inc.*, 640 F.2d 109, 114 (8th Cir. 1981) (en banc) (identifying factors for consideration of a preliminary injunction).

3. Petitioner asks this court to enter a Temporary Restraining Order without notice under Federal Rule of Civil Procedure 65(b)(1). Fed. R. Civ. P. 65(a). Petitioner has submitted declarations attesting to specific facts showing “immediate and irreparable injury, loss, or damage.” Fed. R. Civ. P. 65(b)(1)(A). Petitioner gave notice to Respondents of this motion by email on February 4, 2026.

4. Petitioner requests that the Court waive the requirement of bond in Federal Rule of Civil Procedure 65(c). *Richard/Wilkin Joint Powers Auth. v. U.S. Army Corps of Eng'rs*, 826 F.3d 1030, 1043 (8th Cir. 2017) (whether to require bond is within district court’s discretion). Public interest litigation is a recognized exception to the bond requirement, especially where, as here, requiring a bond would sustain an unlawful federal practice and the relief sought would not pose a hardship to government Respondents. *See id.*

5. Accordingly, Petitioner requests a Temporary Restraining Order and Preliminary Injunction that includes the following conditions:

- (i) DHS is enjoined from removing Petitioner from the United States until his Petition for Writ of Habeas Corpus has been fully decided.

Respectfully submitted,

Dated:
February 4, 2026

/s/ Lauren Lowry
LAUREN LOWRY, ESQ.
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Counsel for Petitioner

CERTIFICATE OF SERVICE

I certify that on February 4, 2026, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF System, which will send notification of such filing to counsel for Defendants. I also provided a copy of this pleading to the U.S. Attorney's Office by electronic mail.

/s/ Lauren Christine O'Donnell Lowry
LAUREN CHRISTINE O'DONNELL
LOWRY
Counsel for Petitioner