

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
SAN ANGELO DIVISION

FILED - USDC - NDTX - SA
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EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER
AND PROPOSED ORDER

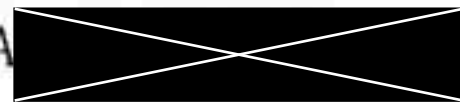
6:26-CV-032

(ANTI-TRANSFER / ANTI-REMOVAL / ANTI-RETALIATION)

28 U.S.C. § 2241

Petitioner:

HEIKEL REICINO GÓMEZ

A-Number: A 

Current Place of Detention:

Eden Detention Center

702 E Broadway

Eden, Texas 76837

Filed by Next Friend:

DAILYS GONZÁLEZ VALDIVIA

INTRODUCTION

Petitioner, through his lawful spouse acting as Next Friend, respectfully moves this Honorable Court for an Emergency Temporary Restraining Order ("TRO") enjoining Respondents from transferring, removing, retaliating against, or otherwise altering Petitioner's custodial status while this Court retains jurisdiction over his pending Petition for Writ of Habeas Corpus and related motions. Immediate injunctive relief is necessary to prevent irreparable harm and to preserve this Court's jurisdiction.

LEGAL STANDARD

A Temporary Restraining Order is appropriate 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 the movant; and
- (4) that issuance of the injunction serves the public interest.

See *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7 (2008).

Federal courts possess authority to enjoin actions that would moot habeas jurisdiction.

See *Ex parte Endo*, 323 U.S. 283 (1944).

ARGUMENT

I. SUBSTANTIAL LIKELIHOOD OF SUCCESS ON THE MERITS

Petitioner has demonstrated a strong likelihood of success on the merits of his habeas claims, including unlawful warrantless arrest, prolonged civil detention without due process, punitive conditions of confinement, and deliberate indifference to serious medical needs.

II. IRREPARABLE HARM ABSENT IMMEDIATE INJUNCTIVE RELIEF

Petitioner faces imminent irreparable harm due to serious medical neglect, psychological deterioration, and credible threats of retaliatory transfer or removal. Such harm cannot be remedied by monetary damages.

See *Nken v. Holder*, 556 U.S. 418 (2009).

III. TRANSFER OR REMOVAL WOULD MOOT HABEAS REVIEW

If Petitioner is transferred or removed, this Court's jurisdiction would be impaired and meaningful judicial review would be effectively denied.

Federal courts routinely issue TROs to preserve habeas jurisdiction.

See *Rumsfeld v. Padilla*, 542 U.S. 426 (2004).

IV. BALANCE OF EQUITIES AND PUBLIC INTEREST

The balance of equities strongly favors Petitioner, who faces serious constitutional harm, while Respondents face minimal burden in maintaining the status quo.

The public interest favors safeguarding constitutional rights and judicial oversight.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Issue an Emergency Temporary Restraining Order prohibiting Respondents from transferring,
removing, or retaliating against Petitioner;
2. Order Respondents to maintain the status quo of Petitioner's custody and location;
3. Grant any other relief the Court deems just and proper.

PROPOSED ORDER GRANTING TEMPORARY RESTRAINING ORDER

Upon consideration of Petitioner's Emergency Motion for Temporary Restraining Order, the Court finds that Petitioner has satisfied the requirements for injunctive relief.

IT IS HEREBY ORDERED that:

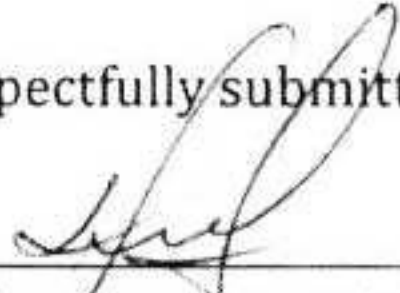
1. Respondents, their agents, officers, employees, and all persons acting in concert with them
are ENJOINED from transferring Petitioner to any other detention facility;
2. Respondents are ENJOINED from removing or deporting Petitioner from the United States;
3. Respondents are ENJOINED from retaliating against Petitioner for seeking judicial relief;
4. This Order shall remain in effect pending further Order of this Court.

SO ORDERED this ____ day of _____, 2026.

UNITED STATES DISTRICT JUDGE

CERTIFICATION AND SIGNATURE

Respectfully submitted,



Dailys González Valdivia
Next Friend for Petitioner

Date: January 29 - 2026