

UNITED STATES DISTRICT COURT FOR
THE DISTRICT OF MARYLAND
GREENBELT DIVISION

Anieta Victoria Henry,

Petitioner,

v.

NIKITA BAKER, Field Office Director, Baltimore
Field Office, United States Immigration and
Customs Enforcement; TODD M. LYONS, Acting
Director, United States Immigration and Customs
Enforcement; KRISTI NOEM, Secretary of
Homeland Security; PAMELA JO BONDI, United
States Attorney General, *in their official capacities,*

Respondents.

Civil Action No.: 1:25-cv-00466

**EMERGENCY MOTION FOR
TEMPORARY RESTRAINING
ORDER ("TRO")**

**EMERGENCY MOTION FOR TEMPORARY
RESTRAINING ORDER ("TRO")**

Petitioner, by and through undersigned Counsel, respectfully moves for a Temporary Restraining Order ("TRO") pursuant to Fed. R. Civ. P. 65 prohibiting Respondents from transferring Petitioner outside the District of Maryland and from effectuating removal during the pendency of her Petition for Writ of Habeas Corpus.

I. LEGAL STANDARD

A TRO is appropriate where the movant shows:

1. Likelihood of success on the merits;
2. Likelihood of irreparable harm absent relief;
3. Balance of equities favors the movant;
4. Injunction is in the public interest.

Winter v. NRDC, 555 U.S. 7 (2008); *The Real Truth About Obama, Inc. v. FEC*, 575 F.3d 342 (4th Cir. 2009).

II. LIKELIHOOD OF SUCCESS ON THE MERITS

Petitioner is detained after years of perfect compliance under an ICE Order of Supervision (OSUP), lawful parole entry, timely asylum filing, and prosecutorial discretion termination of proceedings.

Her routine check-ins were by phone. She was instructed to appear in person without warning and detained despite no violation of supervision, no criminal conduct, and no indication of imminent removal.

Detention that is not reasonably related to effectuating removal violates due process. *Zadvydas v. Davis*, 533 U.S. 678 (2001).

ICE's abrupt re-detention of a compliant OSUP participant also violates the agency's obligation to follow its own supervisory framework. *United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260 (1954).

III. IRREPARABLE HARM

Without this Court's intervention:

- Petitioner may be transferred outside this jurisdiction, frustrating habeas review;
- She may be removed before the Court can rule;
- Her minor daughter will suffer immediate caregiver separation.

Courts recognize that transfer during habeas proceedings constitutes irreparable harm.

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

IV. BALANCE OF EQUITIES

Petitioner has demonstrated years of compliance, lawful presence under supervision, employment authorization, and family ties. The government suffers no harm from maintaining her in Baltimore pending review.

V. PUBLIC INTEREST

The public interest favors ensuring detention practices comply with constitutional standards and that habeas jurisdiction is preserved.

VI. REQUEST FOR RELIEF

Petitioner respectfully requests that this Court:

1. Issue a Temporary Restraining Order prohibiting Respondents from transferring Petitioner outside the District of Maryland;
2. Prohibit Respondents from removing Petitioner during the pendency of this action;
3. Grant such other relief as the Court deems appropriate.

Respectfully submitted,

Dated: February 4, 2026

Respectfully submitted,



Tedeisha Rowe, Esq.
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Counsel for Petitioner

CERTIFICATE OF SERVICE

I hereby certify that on this 4th day of February 4, 2026, a true and correct copy of the foregoing Emergency Motion for a Temporary Restraining Order was filed electronically via the Court's CM/ECF system, which will provide notice to all counsel of record.

/s/ Tedeisha Rowe
Tedeisha Rowe, Esq.