

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF TEXAS

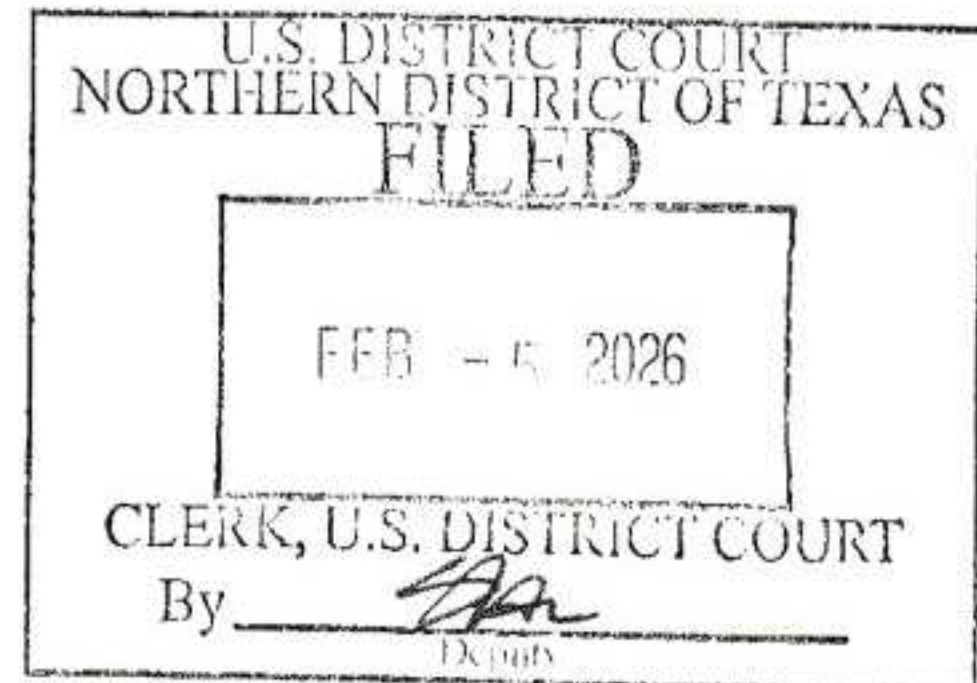
4-26 CV-122-P

FORT WORTH DIVISION

LUIS ALBERTO DE LA CRUZ MORA,
Petitioner,

v.

WARDEN, PRAIRIELAND DETENTION CENTER,
Respondent.



EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

AND PROPOSED ORDER

(ULTRA EXTENSIVE – FEDERAL JUDGE LEVEL)

COMES NOW Petitioner, LUIS ALBERTO DE LA CRUZ MORA, by and through his Next Friend, MELISSA GONZÁLEZ OLIVERA, and respectfully moves this Honorable Court for entry of an Emergency Temporary Restraining Order (“TRO”) pursuant to Fed. R. Civ. P. 65, 28 U.S.C. § 2241, and the All Writs Act, 28 U.S.C. § 1651, prohibiting Respondents from removing, transferring, or effectuating third-country removal of Petitioner while this habeas action is pending.

I. JURISDICTION AND AUTHORITY

This Court has jurisdiction under 28 U.S.C. §§ 1331 and 2241. The Court has authority to issue injunctive relief under Fed. R. Civ. P. 65 and the All Writs Act to preserve its jurisdiction and prevent irreparable constitutional harm.

II. EMERGENCY NATURE OF REQUEST

Absent immediate injunctive relief, ICE may remove or transfer Petitioner without notice, including removal to a third country, thereby mooting this Court's jurisdiction and subjecting Petitioner to irreparable harm.

III. STATEMENT OF FACTS

Petitioner was arrested on November 10, 2025, during a voluntary ICE check-in appointment, without a judicial warrant or probable cause. He suffers from serious circulatory and vascular conditions that have been aggravated by detention and denial of adequate medical care.

Petitioner has been subjected to prolonged shackling during transfers, deprivation of food and water for more than twenty hours, extreme overcrowding, racial and xenophobic verbal abuse, and threats of deportation or third-country removal.

IV. LEGAL STANDARD FOR TRO

A TRO is warranted where the movant demonstrates (1) likelihood of success on the merits, (2) irreparable harm, (3) balance of equities in his favor, and (4) that an injunction serves the public interest. *Winter v. NRDC*, 555 U.S. 7 (2008).

V. ARGUMENT

A. Likelihood of Success on the Merits

Petitioner has demonstrated unlawful arrest, due process violations, deliberate indifference to serious medical needs, and unconstitutional conditions of confinement.

B. Irreparable Harm

Removal, transfer, or third-country deportation would cause irreparable harm and moot

this Court's jurisdiction. Loss of liberty and risk to health constitute irreparable injury.

C. Balance of Equities

Maintaining the status quo imposes minimal burden on Respondents while preventing severe constitutional harm.

D. Public Interest

The public interest favors preventing unconstitutional detention and ensuring judicial review.

VI. RELIEF REQUESTED

Petitioner respectfully requests that this Court issue a Temporary Restraining Order:

1. Enjoining Respondents from removing Petitioner from the United States;
2. Enjoining Respondents from transferring Petitioner to any other detention facility;
3. Enjoining Respondents from effectuating removal of Petitioner to any third country;
4. Preserving this Court's jurisdiction pending final resolution of the habeas petition.

VII. PROPOSED ORDER

IT IS HEREBY ORDERED that Respondents, their agents, officers, employees, and all persons acting in concert with them are TEMPORARILY RESTRAINED from:

- a. Removing Petitioner LUIS ALBERTO DE LA CRUZ MORA from the United States;
- b. Transferring Petitioner from Prairieland Detention Center or any other facility;
- c. Effectuating removal of Petitioner to any third country.

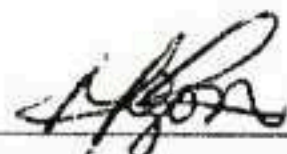
This Order shall remain in effect until further Order of the Court.

SIGNED this ____ day of _____, 2026.

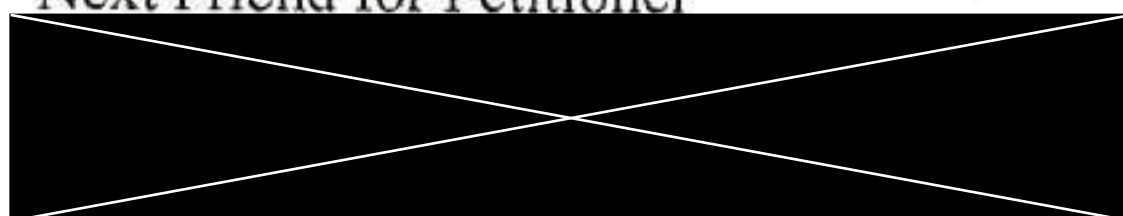
UNITED STATES DISTRICT JUDGE

VIII. SIGNATURE

Respectfully submitted,



MELISSA GONZÁLEZ OLIVERA
Next Friend for Petitioner



Date: February 2, 2026