

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

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Yi XING,

Petitioner,

v.

Case No.: 1:26-cv-00306

Mary De Anda-Ybarra, in her official capacity as Director of U.S. Immigration and Customs Enforcement and Removal Operations, El Paso Field Office; Kristi NOEM, in her official capacity as Secretary of Homeland Security; Pamela BONDI, in her official capacity as Attorney General of the United States; and Dora Castro, in her official capacity as Warden of the Otero County Processing Center

**NOTICE OF EMERGENCY MOTION
FOR TEMPORARY RESTRAINING
ORDER AND PRELIMINARY
INJUNCTION**

Respondents.

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TO THE CLERK OF THE COURT, ALL PARTIES, AND THEIR COUNSEL OF RECORD:

PLEASE TAKE NOTICE that, upon the Amended Verified Emergency Petition for Writ of Habeas Corpus, the accompanying Memorandum of Law, and the preliminary findings of this Court in its Order for Respondents to Show Cause dated February 11, 2026, Petitioner Yi Xing ("Petitioner"), by and through his undersigned counsel, hereby moves this Court for an emergency Temporary Restraining Order and a Preliminary Injunction pursuant to Rule 65 of the Federal Rules of Civil Procedure.

Petitioner respectfully moves the Court for an Order:

1. Enjoining and Restraining the Respondents, their agents, and the Executive Office for Immigration Review (EOIR), specifically the Otero Immigration Court, from

- proceeding with Petitioner's Individual (Merits) Hearing currently scheduled for February 19, 2026, at 8:30 A.M. MT;
2. Staying all administrative removal proceedings against Petitioner until this Court has reached a final disposition on the merits of Petitioner's Verified Emergency Petition for Writ of Habeas Corpus;
 3. Finding that such emergency relief is necessary to prevent irreparable harm to Petitioner's due process rights, as forcing him to trial while unlawfully detained prevents him from assisting in his own defense and finalized preparations with witnesses located in New York; and
 4. Preserving the Status Quo in light of this Court's preliminary finding that Petitioner "may be entitled to relief" and the fact that the Government's response to the underlying petition is not due until February 26, 2026—seven days *after* the scheduled administrative hearing.

PLEASE TAKE FURTHER NOTICE that this is an **Emergency Motion**. Petitioner respectfully requests that the Court rule on the request for a Temporary Restraining Order immediately, or as soon as practicable, to avoid the irreparable mooting of his claims should the February 19 hearing proceed.

Date: February 17, 2026

Respectfully Submitted,

VIP LAW GROUP, PC

By: /s/ Guofeng Li

Guofeng Li, Esq.

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Email: lawyerly.chris@gmail.com

Counsel for Petitioner

Federal Bar ID: 26-112

CERTIFICATE OF SERVICE

I hereby certify that on February 17, 2026, I caused a true and correct copy of the following documents:

1. Notice of Emergency Motion for Temporary Restraining Order and Preliminary Injunction;
2. Memorandum of Law in Support of Petitioner's Emergency Motion; and
3. Declaration of Guofeng Li, Esq. in Support of Emergency Temporary Restraining Order.

To be served upon the Respondents via electronic mail (email) to the U.S. Attorney's Office for the District of New Mexico, directed to the following attorney of record:

Allison Shokes

Assistant United States Attorney

allison.shokes@usdoj.gov

I further certify that these documents were also filed through the Court's CM/ECF system, which will generate a Notice of Electronic Filing (NEF) and provide electronic service to all counsel who are registered participants in this case.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

Dated: February 17, 2026

Respectfully Submitted,

VIP LAW GROUP, PC

By: /s/ Guofeng Li

Guofeng Li, Esq.

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