

THE LEGAL CLINIC

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Attorneys for Petitioner
GONZALO CONSTANTE VALVERDE

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII**

GONZALO CONSTANTE
VALVERDE,

Petitioner,

v.

SHIKHA DOSANJ, WARDEN,
FEDERAL DETENTION CENTER,
HONOLULU, HAWAII; DAVID
PORTER, ACTING FIELD OFFICE
DIRECTOR, HONOLULU FIELD
OFFICE, IMMIGRATION AND
CUSTOMS ENFORCEMENT; PAM
BONDI, ATTORNEY GENERAL OF

CIVIL NO. CV 26-00061 JAO-KJM

**PETITIONER'S EX PARTE MOTION
FOR TEMPORARY RESTRAINING
ORDER;**

**MEMORANDUM IN SUPPORT OF
MOTION;**

**DECLARATION OF NERIBEL
CHARDON;**

EXHIBITS A-C;

CERTIFICATE OF SERVICE

THE UNITED STATES; KRISTI
NOEM, SECRETARY OF
HOMELAND SECURITY, IN THEIR
OFFICIAL CAPACITIES,

Respondents.

**PETITIONER’S EX PARTE MOTION FOR TEMPORARY
RESTRAINING ORDER**

Petitioner Gonzalo Constante Valverde (“**Petitioner**”) moves this honorable Court for a Temporary Restraining Order (“**TRO**”) enjoining respondents from moving forward with his merits hearing in immigration court set for February 26, 2026, pending adjudication of his Petition for a Writ of Habeas Corpus.

Petitioner overwhelmingly meets the standard for a TRO and preliminary injunction because he is likely to succeed on the merits, he is likely to suffer irreparable harm in the absence of preliminary relief, the balance of equities tips in his favor, and an injunction is in the public interest. *Winter v. Natural Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008) (preliminary injunction standard); *D.K. ex rel. Kellet v. Lingle*, 2009 WL 3415353, at *1 (D. Haw. Oct. 22, 2009) (preliminary injunction standard applies to a TRO).

Petitioner is likely to succeed on the merits of his claims as he has a strong liberty interest in remaining free from detainment and preparing for his merits hearing while not detained, he faces a high risk of erroneous deprivation if he does not receive preliminary relief, and the government has no countervailing interest against providing a brief stay of Petitioner’s merits hearing. *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976).

This motion is based on Rule 65 of the Federal Rules of Civil Procedure, All Writs Act, 28 U.S.C. § 1651(a), the pleadings on file herein, and the declarations,

exhibits, and memorandum attached hereto. It is also based on such matters as may be presented to the Court at the time of the hearing on this motion.

DATED: Honolulu, Hawai'i, February 24, 2026.

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/s/ Lisa K. Swartzfager

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