

UNITED STATES DISTRICT COURT
DISTRICT OF COLORADO

FILED
UNITED STATES DISTRICT COURT
DENVER, COLORADO
4:17 pm, Feb 10, 2026
JEFFREY P. COLWELL, CLERK

LENNIN SANCHEZ-JIMENEZ,



Petitioner,

v.

Civil Action No. _____

(Judge _____)

WARDEN, DENVER CONTRACT DETENTION
FACILITY; U.S. DEPARTMENT OF HOMELAND
SECURITY; U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT (ICE); and U.S. ATTORNEY GENERAL,

Respondents.

**EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER
AND FOR STAY OF REMOVAL PENDING HABEAS REVIEW (28 U.S.C. § 2241)
(28 U.S.C. §§ 2241, 2243, 1651; Fed. R. Civ. P. 65)**

Petitioner Lennin Sanchez-Jimenez (“Petitioner”), proceeding pro se and currently detained at the Denver Contract Detention Facility in Aurora, Colorado, respectfully moves for an emergency temporary restraining order (“TRO”) and stay of removal to preserve this Court’s jurisdiction and ability to provide effective habeas review. In support, Petitioner states:

I. INTRODUCTION AND RELIEF REQUESTED

1. Petitioner has filed a protective Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 in this Court due to a post-filing transfer into the District of Colorado while a related § 2241 habeas matter remains pending in the U.S. District Court for the Middle District of Florida, Fort Myers Division, Case No. 2:26-cv-00146-KCD-NPM (“Florida Habeas Case”).
2. The Florida Habeas Case is active and includes an Order to Show Cause requiring a government response by February 20, 2026. Petitioner files here solely to preserve jurisdiction and prevent mootness resulting from DHS/ICE transfer actions.
3. Emergency relief is necessary to prevent irreparable harm. Removal from the United States would moot or materially impair effective habeas review and would frustrate orderly

federal court review while the Government is under an active Order to Show Cause in the Florida Habeas Case.

4. Petitioner respectfully requests that this Court enter an order that:

A. STAYS REMOVAL. DHS/ICE and all agents/officers shall not remove Petitioner from the United States pending further order of this Court;

B. REQUIRES VERIFIED DISCLOSURE. Within 24 hours, Respondents shall file a sworn declaration under penalty of perjury stating:

- (i) Petitioner's current physical location (facility name and address);
- (ii) the statutory detention authority asserted (8 U.S.C. § 1225, § 1226, § 1231, or other);
- (iii) whether any removal is scheduled, imminent, or being planned; and
- (iv) the assigned Deportation Officer ("DO") and supervisor contact information (name, title, and official email if available);

C. MINIMUM NOTICE. DHS/ICE shall provide at least 72 hours' advance written notice to the Court and to Petitioner (or Petitioner's designated contact authorized in writing) before any attempted removal, unless otherwise ordered by this Court.

II. VERIFIED FACTUAL BASIS (LIMITED TO KNOWN FACTS)

5. Petitioner is in ICE custody and is presently detained at:

**Denver Contract Detention Facility
3130 N. Oakland St.
Aurora, CO 80010.**

6. Petitioner filed the Florida Habeas Case while detained in Florida. The Florida Habeas Case is active and includes an Order to Show Cause with response due February 20, 2026.

7. Petitioner does not possess any final order of removal, and to Petitioner's knowledge no final removal order has been provided to Petitioner.

8. Due to custody/location instability observed through the ICE Online Detainee Locator System ("ODLS") and subsequent transfer across districts, Petitioner reasonably fears sudden removal could occur before any federal court can provide meaningful review.

9. Petitioner brings this emergency motion narrowly to preserve the status quo (no removal) pending habeas review.

III. LEGAL STANDARD

10. A **TRO** and emergency injunctive relief are governed by Fed. R. Civ. P. 65. A movant must show:

- (1) likelihood of success on the merits (or, at minimum, serious questions on the merits),
- (2) irreparable harm,
- (3) balance of equities favoring relief, and
- (4) public interest. See *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7 (2008).

11. In immigration-related stays, courts also consider the stay factors in *Nken v. Holder*, 556 U.S. 418 (2009), which substantially overlap with *Winter* and emphasize preserving meaningful judicial review.

12. A federal court may issue orders necessary to preserve jurisdiction and effective relief in habeas matters. See 28 U.S.C. §§ 2241, 2243; 28 U.S.C. § 1651 (All Writs Act).

IV. ARGUMENT

A. This Court Has Authority to Preserve Jurisdiction and Prevent Mootness

13. If DHS/ICE removes Petitioner from the United States, this Court may be unable to provide effective habeas relief. Removal is the paradigmatic irreparable harm and threatens to moot or materially impair habeas review.

14. The requested relief is narrow and temporary: it preserves the status quo (no removal) until Respondents provide verified disclosure and until habeas review proceeds.

B. Petitioner Shows Serious Questions on the Merits and a Need to Preserve Review

15. Petitioner's protective filing is prompted by a post-filing transfer. Petitioner challenges the legality and process of detention and the lack of clear detention authority documentation, which are cognizable under § 2241.

16. The Florida Habeas Case's active posture underscores that the claims are not frivolous and that federal courts are already engaged in reviewing the detention. Emergency relief here ensures review is not frustrated by removal.

C. Irreparable Harm Is Immediate Without a Stay of Removal

17. Removal would cause irreparable harm by eliminating Petitioner's ability to litigate effectively from within the United States, and by undermining meaningful judicial review before any court can adjudicate the merits.

18. Given the rapid custody changes reflected in ODLs and the recent interstate transfer, the risk is concrete and time-sensitive.

D. The Balance of Equities and Public Interest Favor a Temporary Stay

19. The Government's burden is minimal: a temporary stay preserves orderly adjudication and prevents mootness.

20. The public interest favors compliance with due process and preserving federal judicial review in a pending habeas matter.

V. EMERGENCY REQUEST FOR EXPEDITED RULING / TRO WITHOUT NOTICE

21. Petitioner respectfully requests expedited ruling due to the demonstrated custody instability, interstate transfer, and the irreparable harm posed by removal.

22. Petitioner requests that the Court consider issuing a TRO without notice under Fed. R. Civ. P. 65(b)(1), or alternatively, order Respondents to file the requested sworn declaration within 24 hours and maintain the status quo pending further order.

VI. REQUEST FOR COURT-DIRECTED SERVICE (PRO SE DETAINEE)

23. Petitioner is detained and proceeding pro se. Petitioner respectfully requests that the Clerk of Court and/or U.S. Marshal effect service of this emergency motion and any order on the appropriate government recipients, or that the Court enter an order directing Respondents to accept service via email for purposes of emergency notice, due to Petitioner's custody limitations.

VII. CERTIFICATE OF SERVICE

I, Lennin Sanchez-Jimenez, certify that on February 12, 2026, I will serving a copy of this Emergency Motion and proposed order by U.S. Mail (postage prepaid), and where email is available, by email as a courtesy copy, on:

1) United States Attorney's Office – District of Colorado

Attn: Civil/Immigration Duty AUSA (or Civil Intake)

1225 Seventeenth Street, Suite 700

Denver, CO 80202

(Courtesy email, if used): USACO.PublicAffairs@usdoj.gov

2) Office of Immigration Litigation, U.S. Department of Justice, Civil Division

950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

3) DHS/ICE – Denver Field Office (ERO)

(email): denveroutreach@ice.dhs.gov

4) Warden / Officer in Charge (Immediate Custodian)

Denver Contract Detention Facility

3130 N. Oakland St.

Aurora, CO 80010

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

Dated: February 12, 2026

Lennin Sanchez-Jimenez
/s/ Lennin Sanchez-Jimenez

LENNIN SANCHEZ-JIMENEZ, Pro Se



Denver Contract Detention Facility

3130 N. Oakland St.

Aurora, CO 80010

VIII. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Court GRANT this Emergency Motion and enter the attached Proposed Order staying removal and requiring a sworn declaration within 24 hours.

Respectfully submitted,

Dated: February 10, 2026

Lennin Sanchez Jimenez
/s/ Lennin Sanchez Jimenez

LENNIN SANCHEZ-JIMENEZ, Pro Se



Denver Contract Detention Facility
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LENNIN SANCHEZ-JIMENEZ,



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Civil Action No. _____

(Judge _____)

WARDEN, DENVER CONTRACT DETENTION
FACILITY;

Respondents.

PROPOSED ORDER

Upon consideration of Petitioner's Emergency Motion for Temporary Restraining Order and for Stay of Removal, it is **ORDERED**:

1. The Emergency Motion is **GRANTED IN PART**.
2. Pending further order of this Court, **DHS/ICE** and all agents, officers, employees, and contractors acting in concert with them **SHALL NOT** remove Petitioner from the United States.
3. Within 24 hours of entry of this Order, Respondents shall file a sworn declaration under penalty of perjury stating:
 - (a) Petitioner's current physical location;
 - (b) the statutory detention authority asserted (8 U.S.C. § 1225, § 1226, § 1231, or other);
 - (c) whether any removal is scheduled or imminent; and
 - (d) the assigned Deportation Officer and supervisor contact information (name, title, and official email if available).
4. **DHS/ICE** shall provide at least 72 hours' advance written notice to the Court and to Petitioner before any attempted removal, unless otherwise ordered by this Court.

DONE AND ORDERED in Denver, Colorado, this ____ day of _____, 2026.

UNITED STATES DISTRICT JUDGE