

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

James Gbolahan OMOTOYINBO
Petitioner,
v.

Kristi NOEM, Secretary, U.S. Department
of Homeland Security; Department of
Homeland Security, in her official
capacity;

Todd M. LYONS, Acting Director of
Immigration and Customs Enforcement;
Immigration and Customs Enforcement,
in his official capacity;

David EASTERWOOD, Field Office
Director of Enforcement and Removal
Operations, Minneapolis - St. Paul Field
Office, Immigration and Customs
Enforcement, in his official capacity

Eric TOLLEFSON, Sheriff of Kandiyohi
County, Minnesota, custodian of detainees
at the Kandiyohi County Jail, in his
official capacity.

Respondents.

Case No.: 0:26-cv-01426

**PETITIONER'S MOTION FOR AN
EMERGENCY TEMPORARY
RESTRAINING ORDER UNDER
FRCP 65(b) AND
PRELIMINARY INJUNCTION
UNDER FRCP 65 (a)**

[EXPEDITED HANDLING REQUEST]

**PETITIONER'S EMERGENCY MOTION FOR
TEMPORARY RESTRAINING ORDER OR PRELIMINARY INJUNCTION
WITH EXPEDITED HANDLING**

Petitioner, James Gbolahan Omotoyinbo, pursuant to 28 U.S.C. § 2241, the Fifth Amendment of the United States Constitution, 8 U.S.C. §§ 1101 *et seq.* ("the INA"), 5 U.S.C. §§ 701 *et seq.* (the "APA"), and Rule 65(a) and (b) of the Federal Rules of Civil Procedure, moves the Court for entry of a Temporary Restraining Order and Preliminary Injunction enjoining

Respondents, and all persons acting on Respondents' behalf, from continuing to infringe on Petitioner's constitutional rights by subjecting him to detention, or taking any other related enforcement action against Petitioner, including transferring Petitioner away from the jurisdiction of this District pending these proceedings and continuing to detain Petitioner during the pendency of his underlying Petition for Writ of Habeas Corpus proceedings.

The reasons in support of this Motion are set forth in the accompanying Memorandum of Points and Authorities. This Motion is based on the previously-filed Petition for Writ of Habeas Corpus (Doc. No. 1). As set forth in the Points and Authorities in support of this Motion, Petitioner raises that he warrants an emergency temporary restraining order due to his weighty liberty interests under the Due Process Clause of the Fifth Amendment in remedying his unlawful detention.

WHEREFORE, Petitioner prays that this Court grant his request for a temporary restraining order enjoining Respondents from continuing to detain Petitioner pending these proceedings, and removing Petitioner from the United States pending these proceedings. The only mechanism to ensure that Petitioner does not continue to be unlawfully detained, transferred, or removed in further violation of his due process rights is an ex-parte temporary restraining order from this Court.

Dated: February 13, 2026

/s/Karen V. Bryan
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