

United States District Court  
for the  
Southern district of Georgia, Waycross Division

Eric Bockarie Musa  
Petitioner  
v.

Tony Normand, Warden, Jolksston  
Ice Processing Center  
Respondent

U.S. DISTRICT COURT

2026 FEB 17 A 9:20

CLERK C. Robinson  
U.S. DIST. CT. OF GA.

Civil Action NO. \_\_\_\_\_

CV 526 - 224

MOTION FOR A TEMPORARY RESTRAINING  
Order

- ① I, Eric Bockarie Musa , respectfully requests that this court issue a Temporary restraining order Prohibiting Immigration and customs enforcement from moving me out of this district and from removing me from the United States while this habeas case is pending. I also ask this court to order the immediate release of petitioner from illegal custody.
- ② On February 6th, 2026, after I had already completed my habeas petition, my deportation officer came to notify me that I.C.E., after almost 7 months in illegal re-detainment, is working on scheduling a flight for me to Cameroon, a country I have no ties to, nor speak their language under their punitive unconstitutional current 3<sup>rd</sup> country removal policy.

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By Eulen though it is clear that Petitioner's detention is unlawful in violation of his Constitutional rights he continues to languish in custody which equals irreparable harm. The record will show that I.C.E intends to inflict more harm to Petitioner by removing him to Cameroon, a country he has no ties to nor speak their language without a chance to seek relief from an immigration judge in violation of his due process rights.

Q For the stated reasons, and the fact that Petitioner has fulfilled all the Winter factors, it is necessary for this Court to issue this Temporary Restraining order to prevent the imminent threat of continued irreparable harm

Date-2-9-26

Respectfully Submitted

Signature: Eric

Name: Eric Bocharie Musa

A-Number: A

Detention Center: Folkston ICE Processing Center.

Southern District of Georgia, Waycross Division

Name: Eric Bockarie Musa

Alien registration NO: 

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Pro Se Petitioner - detained

Detention Center: Folkston I.C.E Processing Center

Address: 3424 GA Hwy 252 E Folkston, GA, 31537

Memorandum of Law in support of a Motion for a  
Temporary Restraining Order

Multiple Courts have entered a TRO in similar cases involving immigration-related habeas to avoid the petitioner's removal from the country and/or transfer from the district in which the habeas petition is filed. See e.g. *Batooie v. Celja*, No. 25-cv-02659-DDD-STV, 2025 U.S. Dist. LEXIS 127220, 2025 WL 1836695, at \*1 (granting TRO to protect the status quo. On February 6th, 2026, my deportation officer informed me that I.C.E is trying to send me to Cameroon, but they have to schedule a flight. No indication was given that ICE plan to comply with the statute in designating a third country of removal nor give petitioner a chance to be heard in front of a Immigration Judge. I am filing this Motion for a Temporary restraining Order because I have a credible concern that I may be transferred from this district to staging field to board a flight and removed from the United States before this Court may address the merits of my petition.

A temporary restraining order is an extraordinary remedy neither awarded as a right *Bragg v. Jordan*, 669 F. Supp. 3d 257, 267 *CS-D.N.Y. 2023*. In order to qualify for a Temporary restraining order, the petitioner must show that he is likely to succeed on the merits, he is likely to suffer irreparable harm absent preliminary relief, the balance of equities is in favor of petitioner and the injunction is in the public interest. Here, petitioner will demonstrate how he meets all the winter factors

### Argument

#### (a) Likelihood of success on the merits

Given the very credible facts presented by petitioner and the physical evidence submitted alongside his habeas petition in support of his claim that I.C.E. have violated his constitutional right to due process, it is almost certain that petitioner will succeed on the merits. To this day, petitioner haven't received any notice of revocation or release let alone the basis for that revocation. Respondents cannot dispute this fact. If so, they should show this court such a document. They won't be able to because it doesn't exist. I.C.E. never gave petitioner any informal interview let alone a prompt one. Petitioner haven't gotten any chance to contest his re-detention. I have submitted a copy of the warrant of removal/deportation which prove that ICE intended to remove me without the due process of law. I have submitted copies of requests I sent to I.C.E. seeking information about my re-detention, I have submitted ~~no~~ letters from I.C.E. failed decision to continue detention that mentions nothing about me being released on a order of supervision. The evidence submitted by petitioner is clear and convincing. I.C.E. failed to follow its own regulations, and in doing so violated petitioner's due process rights. See *Selis Tinoco v. Noem*, 1:25-cv-01762-DC-JDP, 2025 WL 3567887 C.E.D. Cal. Dec. 14, 2025, granting motion for TRO and immediate release of the petitioner based on his likelihood of success on the merits of his due process claim. Even now, my deportation officer informed me

On February 6th, 2026, that I.C.E is trying to schedule a flight to remove me to Cameroon without a chance to be heard in proceedings in front of a Immigration Judge, still not acknowledging that I was detained illegally in violation of my constitutional right to due process. Petitioner is highly likely if not certain to succeed on the merits

(B) Irreparable Harm

Where as here, the "alleged deprivation of a constitutional right is involved, most courts hold that no further showing of irreparable injury is necessary." *Warsoldier v. Woodford*, 418 F.3d 989, 1001-02 (9th Cir. 2005). The Ninth circuit has also noted that unlawful detention certainly constitutes extreme or very serious damage, and that damage is not compensable in damages. *Hernandez*, 872 F.3d at 999. See also *Connecticut Dept of Env't Prot. v. U.S. H.A.*, 356 F.3d 226, 231 (2d Cir. 2004) (holding that violations of constitutional rights are presumed irreparable.

(C) Balance the equities and public interest

The balance of the equities and public interest analyses merge when the government is the opposing party as in petitioner's case. See *Drakes Bay Oyster Co. v. Jewell*, 747 F.3d 1073, 1092 (9th Cir. 2014). Citing *Nken v. Holder*, 556 U.S. 418, 435, 129 S. Ct. 1749, 173 L. Ed. 2d 550 (2009) "the public has a strong interest in upholding procedural protections against unlawful detention" *Vargas v Jennings*, No. 20-cv-5785-PJH, 2020 U.S. Dist. LEXIS 153579, 2020 WL 5074312, at 4 (N.D. Cal. Aug. 23, 2020) internal quotation omitted.

See also *Reminger v. Principi*, 22 F.3d 815, 824 (9th Cir. 2025) ("Generally, public interest concerns are implicated when a constitutional right has been violated, because all citizens have a stake in upholding the constitution.") on the other hand, the burden on respondents in releasing petitioner from detention is minimal. Respondents cannot reasonably assert that the public and government will be harmed in any legally cognizable sense by being enjoined from violating petitioner's due process rights. The balance of the equities and public interest favors petitioner. The government's interest in re-detaining non-citizens, previously released without due process is low.

### Conclusion

In conclusion, petitioner's detention violates the due process clause of the great united states constitution. Because petitioner is entitled to due process of law, it is necessary to issue this TRO to prevent the imminent threat of continued irreparable harm.

Respectfully submitted

Signature: 

Date: 2-9-26

Name: Eric Bockarie Musa

A-Number: A 

Detention Center: Jolksston Ice Processing Center.