

FILED KB

UNITED STATES DISTRICT COURT
LAS CRUCES, NEW MEXICO

UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO

FEB 17 2026

MITCHELL R. ELFERS
CLERK OF COURT

MANUEL ARIOLFO CHUCHUCA-CABRERA, A# 
Petitioner,

26-CV-449 MIS-DLM

v.

PAMELA BONDI, Attorney General of the United States;
KRISTI NOEM, Secretary, Department of Homeland Security;
TODD LYONS, Director, U.S. Immigration and Customs Enforcement;
MARY DE ANDA-YBARRA, Field Office Director, ICE ERO El Paso;
WARDEN, OTERO COUNTY PROCESSING CENTER,
Respondents.

EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

I. EMERGENCY RELIEF REQUESTED

Petitioner respectfully moves this Court for an Emergency Temporary Restraining Order prohibiting Respondents from removing, transferring, or deporting Petitioner while his Petition for Writ of Habeas Corpus is pending.

II. FACTUAL BASIS FOR EMERGENCY RELIEF

Petitioner is currently detained at Otero County Processing Center and faces the imminent risk of removal or transfer. Petitioner has already experienced repeated transfers and prolonged detention without lawful process. Absent immediate court intervention, irreparable harm will occur.

III. LEGAL STANDARD

A temporary restraining order may issue where the movant demonstrates (1) likelihood of success on the merits; (2) irreparable harm absent relief; (3) balance of equities tips in movant's favor; and (4) the injunction serves the public interest.

IV. ARGUMENT

A. Likelihood of Success on the Merits: Petitioner has demonstrated serious constitutional violations, including prolonged detention without a bond hearing and a warrantless arrest in violation of the Fourth Amendment.

B. Irreparable Harm: Removal or transfer would moot this Court's jurisdiction and irreparably harm

Petitioner.

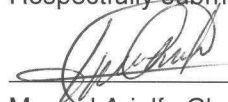
C. Balance of Equities and Public Interest: The equities favor preserving the status quo, and the public interest is served by ensuring constitutional compliance.

V. RELIEF REQUESTED

Petitioner respectfully requests that the Court issue a Temporary Restraining Order enjoining Respondents from removing, transferring, or deporting Petitioner until resolution of the habeas petition or further order of the Court.

2/6/2026

Respectfully submitted,



Manuel Ariolfo Chuchuca-Cabrera
Petitioner, Pro Se