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UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Yutong Li,
Petitioner,
v.

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

PAMELA BONDI, Attorney General of the
United States, in her official capacity;

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

PATRICK DIVVER, San Diego ICE Field
Office Director, in his official capacity;

**WARDEN OF IMPERIAL REGIONAL
DETENTION FACILITY**, in his official
capacity.

Respondents,

Honorable District Court Judge: TBD

Case No.

**NOTICE AND MEMORANDUM OF LAW IN
SUPPORT OF PETITIONER'S EX PARTE
APPLICATION FOR TEMPORARY RESTRAINING
ORDER**

**EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER
TO PREVENT TRANSFER OF PETITIONER**

Petitioner respectfully requests a narrowly tailored temporary restraining order prohibiting Respondents from transferring Petitioner outside the Southern District of California during the pendency of this habeas proceeding.

This request is limited solely to maintaining Petitioner at his current detention location in order to preserve this Court's jurisdiction and Petitioner's access to counsel.

A. Irreparable Harm

Absent immediate injunctive relief, Respondents may transfer Petitioner outside the Southern District of California at any time. Such a transfer would risk divesting this Court of effective jurisdiction over the pending habeas petition and would substantially interfere with Petitioner's ability to consult with counsel and litigate this case in an orderly manner.

Courts have repeatedly recognized that transfer of a habeas petitioner during ongoing litigation constitutes irreparable harm where it disrupts access to counsel and threatens the Court's ability to adjudicate the matter effectively. The requested relief is narrowly tailored solely to preserve the status quo pending this Court's review.

B. Likelihood of Success on the Merits

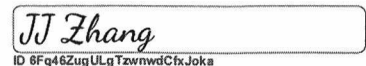
Petitioner has demonstrated a likelihood of success on the merits because the underlying habeas petition presents substantial constitutional questions regarding the legality of Petitioner's continued detention, and Petitioner's continued detention is challenged under *Zadvydas v. Davis*, 533 U.S. 678 (2001).

C. Balance of Equities and Public Interest

Maintaining Petitioner at his current detention facility imposes minimal burden on Respondents while preserving orderly judicial review and protecting the Court's jurisdiction.

WHEREFORE, Petitioner respectfully requests that this Court issue a temporary restraining order prohibiting Respondents from transferring Petitioner outside the Southern District of California pending further order of this Court.

Date: February 25, 2026


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JJ Zhang, Esq.
Counsel for Petitioner

[PROPOSED] TEMPORARY RESTRAINING ORDER

The Court having reviewed Petitioner’s Ex Parte Application for a Temporary Restraining Order,
and good cause appearing,

IT IS HEREBY ORDERED THAT:

Respondents shall not transfer Petitioner outside the Southern District of California pending
further order of this Court. This Order shall be effective immediately upon entry.

IT IS SO ORDERED.

Dated: _____

United States District Judge

Pursuant to Federal Rule of Civil Procedure 65(b)(1)(B) and Civil Local Rule 65.

I, JJ Zhang, certify in good faith that notice of this application has not been given to Respondents because Petitioner is currently in immigration detention, and immediate relief is necessary to preserve the status quo and this Court's jurisdiction. Counsel respectfully requests that the Court set an expedited briefing schedule if the Court deems appropriate. Under these circumstances, ex parte relief is necessary to prevent irreparable harm and to preserve Petitioner's rights pending further proceedings.

Date: February 25, 2026

JJ Zhang

ID 8Fq46ZugULgTzwnwdCfxJoka

JJ Zhang, Esq.
Attorney for Petitioner

**MEMORANDUM OF LAW IN SUPPORT OF PETITIONER'S
EX PARTE APPLICATION FOR TEMPORARY RESTRAINING ORDER**

I. INTRODUCTION

Petitioner respectfully submits this Memorandum of Law in support of his Ex Parte Application for a narrowly tailored Temporary Restraining Order prohibiting Respondents from transferring Petitioner outside the Southern District of California during the pendency of this habeas corpus proceeding.

Petitioner does not seek release through this motion. This request is limited solely to preserving this Court's jurisdiction and ensuring Petitioner's continued access to counsel while the Court reviews the pending Petition for Writ of Habeas Corpus.

Petitioner seeks no affirmative relief other than preservation of the status quo pending adjudication of the habeas petition.

This request seeks only temporary preservation of the Court's ability to adjudicate the pending habeas petition and does not grant Petitioner any ultimate relief on the merits.

II. FACTUAL BACKGROUND

Petitioner is currently detained at the Imperial Regional Adult Detention Facility located in Calexico, California, within the Southern District of California. Petitioner has filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 challenging the legality of his continued immigration detention.

Petitioner is currently in removal proceedings before the Immigration Court and is awaiting a merits hearing on his protection-based claims. Petitioner was apprehended by U.S. Immigration and Customs Enforcement ("ICE") on February 2, 2026.

III. LEGAL STANDARD

A temporary restraining order is appropriate where the moving party demonstrates: (1) a likelihood of success on the merits; (2) a likelihood of suffering irreparable harm in the absence of preliminary relief; (3) that the balance of equities tips in his favor; and (4) that an injunction is in the public interest. *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7 (2008).

IV. ARGUMENT

A. Petitioner Will Suffer Irreparable Harm Absent a TRO

Absent immediate injunctive relief, Respondents may transfer Petitioner outside the Southern District of California at any time. Such a transfer would risk interfering with this

Court's jurisdiction over the pending habeas petition and would substantially impair Petitioner's access to counsel and ability to litigate this matter in an orderly manner.

Courts routinely recognize that transfer of a detained habeas petitioner during pending litigation constitutes irreparable harm where it disrupts access to counsel and threatens the Court's effective review. The requested relief is narrowly tailored solely to preserve the status quo pending this Court's adjudication. Absent interim relief, any transfer would risk rendering meaningful habeas review impracticable. The requested order merely preserves existing conditions until the Court can consider the merits in an orderly manner.

B. Petitioner Has Demonstrated a Likelihood of Success on the Merits

Petitioner's underlying habeas petition presents substantial constitutional questions regarding the legality of continued immigration detention while Petitioner's protection-based claims remain unresolved. At a minimum, Petitioner has demonstrated serious questions going to the merits sufficient to support narrowly tailored temporary relief preserving the status quo.

Petitioner's detention raises serious constitutional questions under governing detention principles, including those articulated in *Zadvydas v. Davis*, 533 U.S. 678 (2001).

C. Balance of Equities and Public Interest Favor Maintaining the Status Quo

Maintaining Petitioner at his current detention facility imposes minimal burden on Respondents while preserving orderly judicial review and protecting the Court's jurisdiction. The public interest is served by ensuring efficient judicial proceedings and protecting access to counsel.

V. CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that this Court issue a narrowly tailored Temporary Restraining Order prohibiting Respondents from transferring Petitioner outside the Southern District of California pending further order of this Court.

Date: February 25, 2026

JJ Zhang
ID 6Fq46ZugULgTzwnwdChxJoka

JJ Zhang, Esq.
Attorney for Petitioner