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9 **UNITED STATES DISTRICT COURT**  
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 GERMAKHANOV, BAISANGUR

12 FILE NO:



13 Petitioner,

14 v.

15 Sidney Aki Current or Acting Field Office  
16 Director, ICE San Diego Field Office;

17 Todd M. Lyons, Current or Acting Director, U.S.  
18 Immigration and Customs Enforcement.

19 Kristi, Noem, Current or Acting Secretary,  
20 Department of Homeland Security; and

21 Pamela, Bondi, Current or Acting Attorney  
22 General of the United States

23 Warden of Imperial Regional Detention Facility

24 Respondents.

25 CASE No. '26CV1397 BJC VET

26 **PETITIONER'S NOTICE OF**  
27 **MOTION AND EX PARTE MOTION**  
28 **FOR TEMPORARY RESTRAINING**  
**ORDER**

**NOTICE OF MOTION AND MOTION**

PLEASE TAKE NOTICE as soon as it may be heard in the United States District Court for the Southern District of California, that Petitioner Baisangur Germakhanov will and hereby does move for a temporary restraining order pursuant to Federal Rule of Civil Procedure 65(b). Because Petitioner’s detention violates the Due Process Clause of the Fifth Amendment to the United States Constitution, Petitioner respectfully requests that this Court (1) order Petitioner’s immediate release from Respondents’ custody pending these proceedings, without requiring bond or electronic monitoring, or, in the alternative, (2) order Petitioner’s immediate release from Respondents’ custody and, within 14 days, order a prompt individualized bond hearing before a neutral decisionmaker, at which Respondents shall bear the burden of proving, by clear and convincing evidence, that Petitioner is a danger to the community or a flight risk that cannot be mitigated by conditions of release. To preserve this Court’s jurisdiction, Petitioner further seeks an order enjoining Respondents from transferring Petitioner out of this District or deporting him during the pendency of the underlying proceedings.

This motion is based on this Notice of Motion and Motion; the accompanying Memorandum of Points and Authorities; the supporting declarations, the papers, evidence, and records on file in this action; and any other written or oral evidence or argument as may be presented at or before the time this motion is heard by the Court. This motion is also supported by the Petition for Writ of Habeas Corpus filed herewith.

Petitioner seeks relief at the earliest possible opportunity. Petitioner files this motion concurrently with his Petition for Writ of Habeas Corpus.

Petitioner emailed a courtesy copy of the petition to Counsel for Respondents and advised that a Motion for TRO would be forthcoming. Petitioner also mailed Counsel for Respondents a copy of the Memorandum of Points and Authorities shortly before filing it. As of this filing, Respondents have not stipulated to a TRO.

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Date: March 4, 2026

Respectfully Submitted,

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