

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA,
FORT MYERS DIVISION

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FILED - USDC - FLMD - FTM

RAYDEL IGLESIAS PENA, Petitioner,

v.

WARDEN, GLADES County DETENTION CENTER, et al., Respondents.

Case No. (To be assigned by Clerk)

I. EMERGENCY NATURE OF MOTION (Local Rule 3.01(f))

This is an emergency motion for a Temporary Restraining Order. Petitioner is currently in immigration custody at the Glades County Detention Center and is at imminent risk of being transferred out of this jurisdiction by ICE. Such a transfer would separate Petitioner from his pending legal application (Form I-485, Receipt # ) and evidence required for his Habeas petition. Petitioner requests a ruling by [Insert Date/Time].

II. MOTION FOR TEMPORARY RESTRAINING ORDER

Pursuant to Federal Rule of Civil Procedure 65 and Local Rule 6.01, Petitioner moves for an order enjoining Respondents from transferring him out of the Middle District of Florida.

III. MEMORANDUM OF LAW (Local Rule 6.01(b))

To obtain a TRO, the movant must establish: (1) a substantial likelihood of success on the merits; (2) that irreparable injury will be suffered; (3) that the threatened injury outweighs the harm to the non-movant; and (4) that the order serves the public interest.

- 1. Likelihood of Success: Petitioner has been detained since October 27, 2025, without an individualized bond hearing. This prolonged detention likely violates the Due Process Clause of the Fifth Amendment.**
- 2. Irreparable Injury: Deprivation of constitutional rights constitutes irreparable injury. A transfer would prolong this unlawful detention and interfere with Petitioner's due process rights.**
- 3. Balance of Harms & Public Interest: The government suffers no harm by keeping Petitioner in his current facility while the court reviews his case. The public is served by the faithful execution of the law and the protection of constitutional rights.**

IV. SECURITY (Local Rule 6.01(a)(4))

Petitioner requests that the Court waive the security bond requirement under Rule 65(c) because he is an indigent pro se prisoner currently in custody.

V. LOCAL RULE 3.01(g) CERTIFICATION

I hereby certify that Petitioner is currently incarcerated and proceeding pro se. Due to his

incarceration and lack of counsel, he was unable to confer with Respondents' counsel prior to filing.

Respectfully submitted,

Signature: Ray

Raydel Iglesias Pena ()

Date: 03/05/2026

Certificate of Service I hereby certify that on 03/05/2026 I placed a copy of this petition and all supporting documents in the prison mailing system at Glades County Detention Center, addressed to:

Clerk of Court, 2110 First Street, Fort Myers, FL 33901

Warden David Harden, 1297 East SR 78, Moore Haven, FL 33471.

A handwritten signature in black ink, appearing to read "Roy", with a stylized flourish extending from the bottom.