UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 2:26-cv-00853-KCD-NPM

ENDI JESUS MORILLO QUINTERO, Alien No.: [redacted]
Petitioner,

v.

KRISTI NOEM, Secretary of DHS, in her official capacity;
DAVID HARDIN, Sheriff of Glades County,
in his official capacity; GARRETT RIPA,
Field Office Director for ICE ERO Miami,
in his official capacity; TODD LYONS,
Acting Director of ICE, in his official capacity;
PAMELA BONDI, U.S. Attorney General,
in her official capacity;
Respondents.
_____/

PETITIONER'S EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER AND IMMEDIATE MEDICAL RELEASE OR TRANSFER

I. LOCAL RULE 7.1(d)(1) CERTIFICATION OF EMERGENCY

After reviewing the facts and researching applicable legal principles, I certify that this motion in fact presents a true emergency (as opposed to a matter that may need only expedited treatment) and requires an immediate ruling because the Court would not be able to provide meaningful relief to a critical, non-routine issue after the expiration of seven days. I understand that an unwarranted certification may lead to sanctions. Petitioner suffers from a severe Traumatic Brain Injury (TBI) and his condition is rapidly deteriorating due to deliberate medical indifference by Respondents. Absent immediate judicial intervention, Petitioner faces a substantial risk of permanent neurological injury, seizures, herniation, or death.

II. INTRODUCTION AND EMERGENCY NATURE OF RELIEF

Petitioner Endi Jesus Morillo Quintero seeks a Temporary Restraining Order pursuant to 28 U.S.C. § 2241, Fed. R. Civ. P. 65, and the Due Process Clause of the Fifth Amendment, enjoining Respondents from continuing Petitioner's civil immigration

evolving intracranial pathology, such as a chronic subdural hematoma or post-traumatic encephalopathy. This condition poses a substantial risk of serious harm, deterioration, or death if untreated.

B. Respondents Have Actual Knowledge of Petitioner's Medical Needs

Respondents have had actual and constructive knowledge of Petitioner's condition through:

a) Medical intake screenings;
b) Over twenty (20) distinct sick call requests and grievances complaining of constant headaches and worsening symptoms;
c) Repeated complaints of deteriorating vision, nervous palpitations, severe forgetfulness, and nausea;
d) Visible, severe physical deterioration, including a documented 21-pound weight loss due to an inability to eat.

C. Respondents Acted with Deliberate Indifference

Despite actual knowledge of Petitioner's severe post-traumatic symptoms, Respondents' conduct constitutes deliberate indifference, demonstrated by:

a) Refusal to provide the standard-of-care diagnostic testing, including an urgent MRI of the brain with and without contrast, as mandated for these symptoms;
b) Explicit denial by ICE to authorize a referral to a neurological specialist, despite the facility doctor noting the necessity for one;

c) Reliance on detention-based care (providing only Ibuprofen and water) that is grossly incapable of managing Petitioner's evolving and life-threatening intracranial condition. This is not a mere disagreement over medical judgment. It is a reckless disregard of a known, serious medical risk, rendering continued detention unconstitutional.

D. Continued Detention Is Punitive and Violates Due Process

Civil immigration detention may not be punitive. Where detention conditions expose a detainee to avoidable suffering, progressive deterioration, or life-threatening risk, detention ceases to serve a regulatory purpose and becomes punitive in effect. Continued detention under these medically barren conditions is not reasonably related to any legitimate governmental objective and violates the Fifth Amendment.

V. IRREPARABLE HARM

Petitioner faces immediate and irreparable harm absent emergency relief, including:

a) Worsening of a serious intracranial medical condition;

b) Risk of permanent neurological injury, irreversible cognitive decline, and seizures;

c) Life-threatening herniation or death;

d) Severe physical wasting (21-pound weight loss) and psychological distress exacerbated by medical neglect. These harms cannot be remedied retroactively. Courts routinely recognize that medical risk in detention constitutes irreparable harm per se.

VI. BALANCE OF EQUITIES AND PUBLIC INTEREST

The balance of equities weighs sharply in Petitioner's favor. Temporary release or transfer to an appropriate non-detention medical facility poses no cognizable harm to Respondents, while denial of relief exposes Petitioner to severe and irreversible brain injury. The public interest is served by upholding constitutional limits on civil detention, preventing inhumane confinement, and ensuring government custody does not endanger human life.

VII. REQUESTED RELIEF

Petitioner respectfully requests that the Court issue an immediate Temporary Restraining Order:

1. Enjoining Respondents from continuing Petitioner's detention under current medical conditions;
2. Ordering Petitioner's immediate release, or in the alternative;
3. Ordering transfer to a non-detention medical facility capable of providing the urgent neurological MRI and specialist care mandated by Dr. Patricia Evans;
4. Directing Respondents to comply with all outside medical recommendations pending further order of the Court; and
5. Granting any further relief the Court deems just and proper.

VIII. NO SECURITY REQUIRED

No bond or security should be required, as this action seeks to vindicate constitutional rights and prevent imminent medical harm. See Fed. R. Civ. P. 65(c).

Respectfully Submitted,

By: */s/ Sara Saba*
Sara J. Saba, Esq.
Florida Bar No. 911011
Counsel for Petitioner

RULE 65(b)(1)(B) EX PARTE NOTICE CERTIFICATION
CERTIFICATION OF COUNSEL PURSUANT TO FED. R. CIV. P. 65(b)(1)(B)

Pursuant to Federal Rule of Civil Procedure 65(b)(1)(B) and Southern District of Florida Local Rule 7.1(d)(1), I. Sara Jiries Saba, counsel for Petitioner, hereby certify that I have not provided advance notice of this Emergency Motion for Temporary Restraining Order to Respondents, and that such notice should not be required for the following reasons:

1. **Imminent, Life-Threatening Harm:** Petitioner is suffering from a rapidly deteriorating Traumatic Brain Injury (TBI) and has lost 21 pounds. A board-certified neurologist has warned that his "red-flag" symptoms indicate an evolving intracranial pathology that carries a foreseeable risk of permanent neurological injury, herniation, or death. (See *Exhibit A: Letter of Dr. Patricia Evans*). Any delay caused by standard notice and briefing procedures could result in irreversible brain damage or death.
2. **Futility of Notice:** ICE has already been put on actual notice of Petitioner's severe medical condition through over 20 sick call requests. Furthermore, a detention facility doctor already requested authorization from ICE for Petitioner to see a specialist, and ICE explicitly denied that authorization. (See *Exhibit B:*

Declaration of Endi Jesus Morillo Quintero) Notice is therefore futile, as the agency has already entrenched its position to deny necessary medical care.

3. **Risk of Sudden Transfer:** Following his accident, Petitioner was subjected to sudden, retaliatory transfers across four different facilities in 15 days (the "Alligator Alcatraz" transport). Providing advance notice of this federal action to ICE risks triggering another sudden, unannounced transfer of the Petitioner outside of this Court's jurisdiction, which would severely disrupt his access to emergency care and effectively moot this Court's ability to grant relief.

Respectfully submitted,

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By: */s/ Sara Saba*
Sara J. Saba, Esq.
Florida Bar No. 911011
Counsel for Petitioner

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on March 25, 2026, I electronically filed the foregoing document with the Clerk of the Court using the CM/ECF system. Because Respondents have not yet appeared in this action and are not yet registered CM/ECF users for this case, I certify pursuant to S.D. Fla. L.R. 5.2(a) that a true and correct copy of the foregoing document, the Summons, and all attachments will be served via **Certified Mail, Return Receipt Requested**, upon the following:

David Hardin, Sheriff of Glades County *(Immediate Physical Custodian)*
Glades County Detention Center 1297 East SR 78 Moore Haven, FL 33471

Jason A. Reding Quiñones, U.S. Attorney
United States Attorney's Office Southern District of Florida 99 NE 4th Street Miami, FL 33132
Pamela Bondi, U.S. Attorney General
U.S. Department of Justice 950 Pennsylvania Avenue NW Washington, DC 20530
Garrett Ripa, Field Office Director
Miami Field Office ICE/ERO 865 SW 78th Avenue, Suite 101 Plantation, FL 33324
Todd Lyons, Acting Director
U.S. Immigration and Customs Enforcement 500 12th St SW Washington, DC 20536
Kristi Noem, Secretary of Homeland Security
Office of the General Counsel 2707 Martin Luther King Jr. Ave SE Washington, DC 20528

Respectfully Submitted,

By: */s/ Sara Saba*
Sara J. Saba, Esq.
Florida Bar No. 911011
Counsel for Petitioner

EXHIBIT LIST IN SUPPORT OF EMERGENCY MOTION FOR TRO

Exhibit A: Letter of Dr. Patricia Evans, Board-Certified Neurologist

Exhibit B: Declaration of Endi Jesus Morillo Quintero