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7 EOIR ID: UU789283

8 *Attorney for Petitioner*

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

11 NAUFAL KHAMRAEV

12 Petitioner,

13 v.

14 Warden, Imperial Regional Detention Facility;
15 GREGORY J. ARCHAMBEAULT, Field Office
16 Director, San Diego Field Office, U.S.
17 Immigration and Customs Enforcement; TODD
18 M. LYONS, Director, U.S. Immigration and
19 Customs Enforcement; KRISTI NOEM,
20 Secretary, U.S. Department of Homeland
21 Security; PAM BONDI, United States Attorney
22 General,

23 Respondents.

24 Case No. **'26CV2122 CAB VET**

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

1 **NOTICE OF MOTION AND MOTION**

2 PLEASE TAKE NOTICE that, as soon as it may be heard in the United States District
3 Court for the Southern District of California, Petitioner Naufal Khamraev will and hereby does
4 move for a temporary restraining order pursuant to Federal Rule of Civil Procedure 65(b) and Civil
5 Local Rule 65-1. Because Petitioner's detention violates the Due Process Clause of the Fifth
6 Amendment to the United States, Petitioner respectfully requests that this Court (1) order
7 Petitioner's immediate release from Respondents' custody pending these proceedings, without
8 requiring bond or electronic monitoring, or, in the alternative, (2) order Petitioner's immediate
9 release from Respondents' custody and, within 14 days, order a pre-deprivation bond hearing
10 before the Immigration Court, where Respondents shall bear the burden of proof to show, by clear
11 and convincing evidence, that Petitioner is a danger or a flight risk. To preserve this Court's
12 jurisdiction, Petitioner further seeks an order enjoining Respondents from transferring Petitioner
13 out of this District or deporting him during the pendency of the underlying proceedings.

14 This motion is based on this Notice of Motion and Motion; the accompanying
15 Memorandum of Points and Authorities; the supporting declarations, the papers, evidence, and
16 records on file in this action; and any other written or oral evidence or argument as may be
17 presented at or before the time this motion is heard by the Court. This motion is also supported by
18 the Petition for Writ of Habeas Corpus (ECF No. 1).

19 Petitioner seeks relief at the earliest possible opportunity. Petitioner is filing this motion on
20 the same day he filed his Petition for Writ of Habeas Corpus.

21 Pursuant to L.R. 83.3(g), and as detailed further in the Declaration of Magomed Esendirov,
22 Counsel for Petitioner emailed a copy of the filed petition to Counsel for Respondents and advised
23 that a Motion for TRO would be forthcoming. As of this filing, Respondents have not stipulated
24 to a TRO.

25
26 Date: April 3, 2026

27 Respectfully Submitted,
28 /s/ Magomed Esendirov
Magomed Esendirov, Esq. (CA SBN: 363301)
Musaev & Associates, PC

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