

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

Pedro Simon Juan

Petitioner,

'26CV2237 AGS MMP

**INJUNCTIVE RELIEF
TEMPORARY RESTRAINING ORDER**

Pamela Bondi, U.S. Attorney General,
Mark Wayne Mullin, Secretary of DHS,
Todd Lyons, Directory of ICE,
Christopher LaRorese, Warden of Otay Mesa Detention Center

Respondent's

**MOTION FOR TEMPORARY RESTRAINING ORDER
AND
INJUSTIVE RELIEF**

TEMPORARY RESTRAINING ORDER

Petitioner Plaintiff, Pedro Simon Juan moves this Court *ex parte* for a Temporary Restraining Order that would, among other things, require his immediate release from his ongoing Detention by agents of Immigration and Customs Enforcement (ICE) and prohibit his re-arrest without pre-detention bond hearing before an "IJ" Immigration judge at which ICE establishes by clear and convincing evidence that his detention is necessary to prevent his Flight Risk or Protect the Public.

BACKGROUND:

The evidence before this Court establishes that Pedro Simon Juan is a 33 year old Asylum seeker against Torture, Persecution or Death. Who left his country for him and his family were and great danger from the gangs and cartels that were trying to reclutting him, not having a good option as the cartels and gangs work with the corrupted officials of the government of Guatemala, if someone refused to work for them he would most likely be kill

He chose to come into United States with his wife and Son on 11-06-2018


Petitioner now have another child who is U.S.C. As he entered into the United States he was Order of Release on Recognizance was granted following and comply with the condition as, Report for any hearing in person, petitioner comply with all that he was requested.

Petitioner received an order of removal on 9-14-2023. petitioner appealed on 09-29-2023 and has been waiting since then, as the appeal still pending, Petitioner wants to continue with his Immigration case because he doesn't want to go back to his country as he fear for his life and his family will be putting in danger if he returns to hes country

Petitioner has been detained since 07-9-2025 Petitioner is asking for his release so he can be with his family while waiting on Immigration proceeding. Petitioner is sorry for the mistakes that he has made and take full resposability and he is asking for an appportunity to show that he is not a danger to the community.

petitioner has been working hard to provide for his family, have a son who needs an ear surgery and special attention. Hes family needs him for support.

While in Detention for a prolonged period of time 9 months.

In OCT-09-2025. The superior court of california granted the petition for ALL dismissal under Penal CODE 1203.4 CASE No  All his charge are been dissmised. This information is attached with this file.

I have successfully vacated a prior conviction under C.P.C 1473.7

which if granted it will leave me with no criminal history. I also have no warrants inside or outside of the United States. Not having a criminal record is a good way of having my relief granted in Immigration Court. It also shows that the Habeas Corpus has a strong path to success.

My health has worsen because I have now developed Depression, Anxiety, and Major Stress Disorder because of the prolonged period of Detention and the living conditions and treament I have spent in Custody.

I have not received any incident reports for misbehavior since I have been Detained here at Otay Mesa Detention Center. have attended to the programs that this facility provides: as, victims impact program, creative writing program, business communication, Careers Without College, Substance Abuse, Adapting to Change, and continuing working on better my self.

and have remained in good behavior while under ICE Custody.

I am requesting for this Temporary Restraining Order to be put in place so ICE won't be able to transfer me to another location and or deport me before this Habeas Corpus is adjudicated.

CITING CASE LAW; *Jose Antonio Ambrocio Garcia Case No. 25-CV-03319-BAS-DEB(2025).*
Carmen Aracely Pablo Sequen case No. 25-CV-06487-PCP, In *Fofana v. Alvence*, petitioner filed a Habeas petition requesting their immediate
release from detention while they wait decisions in pending removal or asylum
proceeding before the Immigration Courts (*Forfana v. Albence, 454 F.Supp.3d 651*

I SWEAR UNDER THE PENALTY OF PERJURY THAT THIS DECLARATION IS TRUE

Date 3-31-2026

Pedro Simon Juan



Otay Mesa Detention Center
7488 Calzada de la Fuente
San Diego, CA. 92154

Signature

