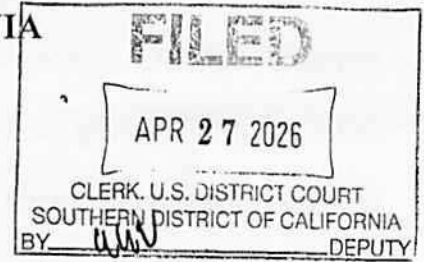


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA



'26CV2676 JES DDL

Crecencio Hernandez

Petitioner,

V.

INJUNCTIVE RELIEF
TEMPORARY RESTRAINING ORDER

PAMELA BONDI, U.S. Attorney General of the
United States; MARKWAYNE MULLIN, Secretary,
United States Department of Homeland
Security; TODD M. LYONS, Acting
Director, Immigration and customs
Enforcement. CRHISTOPHER LAROSE,
Warden of, Otay Mesa Detention Center.

Respondents.

MOTION FOR TEMPORARY RESTRAINING ORDER,
AND
INJUNCTIVE RELIEF

TEMPORARY RESTRAINING ORDER

Petitioner-Plaintiff, Creencio Hernandez moves this court *ex parte* for a Temporary Restraining Order that would, among other things, requiere his immediate release from his ongoing detention by agents of Immigration and Customs Enforcement (ICE) and prohibit his re-arrest without pre-detention hearing before "IJ" Immigration Judge at which ICE stablishes 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 Crecencio Hernandez is a 50-years-old from Mexico Petitioner came to into the United States on October-16-1994. Who left his country fearing the cartel as they were trying to recluting him. Year after he applied for (PR) Permanent Resident. permanent resident was granted on 04-06-2006. after hes Permanent Resident was granted he started working at Pacific Aloy Casting, went to school to learn English and to obtain certificate to be a mechanic

petitioner still seeking to continuing with his permanent resident that way he can help better his family not only financially but emotional as his wife suffer from schizophrenia and been disable for a long time, and he still have a 12 year-old daugther who needs his support not just financially. petitioner is married to a U.S.C. And have 3 kids with her and 8 grandchildren whom are very attached to him for all his criminal cases he has serve his time.

petitioner Due process is unequivocally being violated and deserve to be release under this Habeas Corpus. He request that this court grant the Temporary Restraining Order so Respondent's cannot transfer petitioner out of the Jurisdiction of the court or from the Otay Mesa Detention Center until the Habeas Corpus is adjudicated, currently my health is been affected as I have developed Dyslipidemia, elevated triglycerides with high cholesterol, Gerd.(gastroesophageal reflux disease) Insomnia, Lipid screening, Opioid dependence, History chest pain made worse by breathing Depression, and extremely anxiety, stress disorder because of living condition and not been able to get

my correct medication, a copy of my health condition is been attached to this file.

and prolonged period of detention I have spent in custody and not being able to be by the side of my family, petitioner have not received any incidents for misbehavior since I have been detained since 06/26/2025. and have remained in good behavior while in ICE custody.

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

CITING CASES LAW: *Jose Antonio Ambrocio Garcia case No. 25-cv-03319-BAS-DEB (2025). Carmen Aracely Pablo Sequen Case No. 25-cv-06487-PCP and F.T.C. v. Dean Foods and many other cases that are being gathered.*

Date 04.20.26

Crecencio Hernandez


Otay Mesa Detention Center
P.O. Box 439049
San Diego C.A 92143

Sincerely  _____