IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

PABLO HERMOGENES FLORES GARCIA,

Petitioner,

v.

IMMIGRATION AND CUSTOMS ENFORCEMENT, in their official capacity; **MDC BROOKLYN**, in their official capacity; **MARKWAYNE MULLIN**, Secretary, U.S. Department of Homeland Security, in his official capacity; **TODD BLANCHE**, Acting U.S. Attorney General of the U.S. Department of Justice, in his official capacity; **DAREN MARGOLIN**, EOIR Director, U.S. Department of Justice, in his official capacity.

Respondents.

Civil Action No.:

MOTION FOR TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION

COMES NOW, PABLO HERMOGENES FLORES GARCIA ("Petitioner"), by and through undersigned counsel and pursuant to Fed. R. Civ. P. 65, respectfully moves for a Temporary Restraining Order and Preliminary Injunction ("Motion"). The bases and legal authorities for this Motion are further set forth in the Declaration of Mohammad Akif Saleem, Esq. in Support and Memorandum in Support of this Motion, submitted herewith. As set forth therein, Petitioner seeks the following relief be granted:

1) enjoining and restraining the Respondents from transferring the Petitioner outside of where he is currently detained, MDC Brooklyn, located at 80 29th Street, Brooklyn, NY 11232, to any other detention facility, jail, and/or prison;

2) putting a stay on any attempts to deport the Petitioner;

3) ordering the Respondents to schedule a custody redetermination hearing before a neutral arbiter within 3 days in which it is proven by clear and convincing evidence that Petitioner is a danger or flight risk. Petitioner further requests that he, this Court, and undersigned counsel be notified in advance once a custody redetermination hearing has been scheduled, and that they also be notified of the results of said hearing;

4) releasing the Petitioner on his own recognizance from U.S. Immigration and Customs Enforcement ("ICE") custody;

5) restraining Respondents from re-detaining the Petition upon his release; and

6) for such other and further relief as this Court may deem just and proper.

Respectfully submitted,

Dated: April 29, 2026

/s/ Mohammad Akif Saleem

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