

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE, FLORIDA

YENNDY NUÑEZ GONZÁLEZ,
Petitioner,

V.

ACTING ATTORNEY GENERAL of the United States;)
MARKWAYNE MULLINS, Secretary, Department of)
Homeland Security; TODD LYONS, Acting Director,)
U.S. Immigration and Customs Enforcement;)
GARRETT J. RIPA, Field Office Director - Miami ERO;)
And RONNIE WOODALL, Facility Administrator -)
Baker Correctional Institution.)

Respondents.

)Case No. 3:26-cv-01105

EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

Petitioner, Yenndy Nuñez González, (or “Mr. González”), is filing a Petition for Habeas Corpus requesting release from his unlawful detention. Petitioner respectfully requests an emergency temporary restraining order (“TRO”), prohibiting Respondents from transferring or deporting Petitioner while his Petition for Habeas Corpus is adjudicated before this Court.

As set forth in Petitioner's Memorandum of Law in Support of this Motion ("Memorandum"), a TRO is appropriate and necessary in this matter to ensure Petitioner's due process rights. Petitioner has shown (1) a substantial likelihood of success on the merits; (2) that irreparable injury will occur unless the injunction issues; (3) that the injunction would not substantially harm the other litigant; and (4) that the injunction would not be adverse to the public interest. *See Long v. Sec'y, Dep't of Corr.*, 924 F.3d 1171 (11th Cir. 2019).

Petitioner further requests that the Court waive any security required for an emergency temporary restraining order. This Court has broad discretion as to whether to require a bond. *See BellSouth Telecomms., Inc. v. MCI Metro Access Transmission Servs., Ltd. Liab. Co.*, 425 F.3d 964, 971 (11th Cir. 2005) ("the amount of security required by the rule is a matter within the discretion of the trial court and the court may elect to require no security at all.")(citing *City of Atlanta v. Metro. Atlanta Rapid Transit Auth.*, 636 F.2d 1084, 1094 (5th Cir. Unit B 1981). Courts will often consider such factors as any burden upon the defendant and the plaintiff's financial condition. *See BellSouth Telecomms., Inc.*, 425 F.3d at 971 ("noting the lower court was "well within the bounds of its discretion" in ordering a low bond); *see also Metro. Atlanta Rapid Transit Auth.*, 636 F.2d at 1094 (declining to require a bond based on the plaintiff's financial condition).

A TRO will not prejudice Respondents, as Petitioner is already detained at Florida Baker Correctional Institute (“Baker”), and maintaining his detention at this location will cause no further burden upon Respondents. Further, Petitioner is indigent and currently in ICE custody, prohibiting his ability to provide security for this Motion.

For the reasons set forth in Petitioner’s Memorandum, attached hereto, Petitioner asks this Court to issue a TRO, waiving bond and any further notice requirements, to ensure that Petitioner can assert his rights to habeas corpus before this Court.

Respectfully submitted this 1st day of May, 2026.

/s/ Katherine H. Blankenship
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Attorney for Petitioner

Certification Pursuant to FRCP Rule 65(b)(1)(B) of Efforts to Give Notice and Reasons Further Notice Should Not Be Required

I, Katherine H. Blankenship, legal counsel for Petitioner Yenndy Nuñez González (“Petitioner” or “Mr. González”).

I have made the following efforts to provide notice to the Respondents regarding the Plaintiff’s Emergency Motion for a Temporary Restraining Order and underlying need for habeas relief and release from indefinite detention:

1. Based on Petitioner’s detention at Baker, counsel has been unable to determine the ICE agents in charge of Mr. González’s Petition for Habeas Corpus. However, Counsel did send an email to ICE ERO informing them that Petitioner has filed a Petition for Habeas Corpus and a request to maintain Petitioner’s presence at Baker while his Petition is pending. Counsel also informed the Office of the Principal Legal Advisor (“OPLA”) during a Master Calendar Hearing on May 1, 2026 of same. Petitioner has not received any confirmation or response from either ICE or OPLA.

No further notice to Respondents should be required because:

2. Respondents demonstrate a general pattern of not responding to requests and notices from counsel. This lack of response shows that further efforts to communicate with Respondents will prove unfruitful, and thus Petitioner requires intervention from the Court.

3. Immediate and irreparable harm will result to the Petitioner without a TRO securing his presence throughout the adjudication of his Petition. The Petitioner is at imminent risk of being transferred or deported to an unknown third country, which would further delay or obstruct the Plaintiff's ability to pursue his Petition and other legal remedies. Frequent transfers and removals without notice are common in immigration detention. Such a transfer or removal will delay and obstruct Petitioner's due process rights.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: May 1, 2026

Respectfully submitted,

/s/ Katherine H. Blankenship

Katherine Blankenship

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Attorney for Petitioner

Certificate of Service

I hereby certify that on May 1, 2026, a true and correct copy of the foregoing Emergency Motion for Temporary Restraining Order was served via electronic ECF filing.

Respectfully submitted,

/s/ Katherine H. Blankenship

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