



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Phien Khamsavang

'26CV2750 TWR AHG

Petitioner,

INJUNCTIVE RELIEF
TEMPORARY RESTRAINING ORDER

v.

Todd Blanche, U.S. Attorney General,
Markwayne Mullin, Secretary of DHS,
Todd Lyons, Director of ICE,
Christopher LaRose, Warden of Otay Mesa Detention Center
Respondent's

MOTION FOR TEMPORARY RESTRAINING ORDER,
AND
INJUNCTIVE RELIEF

TEMPORARY RESTRAINING ORDER

Petitioner-Plaintiff, Phien Khamsavang 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 hearing before an "IJ" Immigration Judge at which ICE establishes by clear convincing evidence that his detention is necessary to prevent his flight risk or protect the public.

Background :

The evidence before this court establishes that Phien Khamsavang is a 43-year old from ^{NAMYAO} Laos. ^{Thailand}
Petitioner came into the United States on 1-20-1988 as a Lawful Permanent Residence via San Francisco California (RE8) Refugee. Petitioner was brought by his mother at age 6 through legal means. Petitioner attended school here in the United States and Pledge to the Flag of the United States of America every morning making him a U.S. Citizen by Cultural Assimilation. Petitioner studied up to the 10th grade since he had a rough childhood growing up and scurried away to the streets. Petitioner had his first encounter with Law Enforcement by driving his parents car without permission and charges were ultimately dismissed. Again Petitioner has 3 other arrest for different charges were last one ended up with a 9 year sentence. Here ICE brought Petitioner into custody without affording him the chance to see an Immigration Judge for a custody hearing. Petitioner remains a Lawful Permanent Resident which allows Petitioner a right to Due Process. Here ICE violated that Process against Petitioner and stripped him from his Constitutional Right of the 14th Amendment. Petitioner has a pending Immigration case were he will file Cancellation of removal due to the "LPR" status. Petitioner's Mother needs her son since she is an older U.S.C. Lady who can't work or care for herself very well. Petitioner also has 3 U.S.C children who need Petitioner

in there life by ages 8,10, and 18 years of age. Here Petitioner suffers of side effects from Covid-19 since Petitioner during his prison sentence caught Covid-19 and was placed on a Ventilator almost dying from the Virus. Petitioner is in need of Medication for his Heart which this facility cannot provide. This Facility is being "Sued" by the San Diego County Health Department for evidence on Medical Neglect against Detainees like Mr. Phien Kamsavang. Petitioner respectfully request that this Honorable Court grants his Immediate Release so he can receive appropriate medical treatment that can't be obtained here in this Detention Center. Petitioner here request that this Honorable Court approve this Habeas Corpus and Temporary Restraining Order since the "IJ" Court Judges are under pressure from the "DOJ" Department of Justice and President Donald J. Trump to deny bonds and Asylum cases. There is evidence that establishes this information that President Donald J. Trump through the DOJ has fired over 100 Immigration Judges over the United States. That is why Petitioner request that this Honorable Court through his Habeas Corpus be approved for a Immediate Release. Petitioner counts with family members whom are all U.S.C from the U.S. And need Petitioner so they can care for him. Petitioner request that this court grant the Temporary Restraining Order so Respondent's cannot transfer Petitioner out of the Jurisdiction of the court or from Otay Mesa Detention Center until the Habeas Corpus is adjudicated. My health has worsen because I have developed depression, anxiety, and major stress disorder because of the prolonged detention I have spent in custody and not being able to be by my immediate family. I have not received any incident reports for misbehavior since I have been detained here at Otay Mesa Detention Center and have been 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 CASE LAW: Jose Antonio Ambrocio Garcia case No. 25-cv-03319 (2025)
Carmen Araceli Pablo Sequen Case No. 25-cv-06487
and F.T.C. v. Dean Foods and many more other cases that are
being gathered.

4-23-2026
Date: ~~4-11-2026~~

Phien Khamsavang
Phien Khamsavang


Otay Mesa Detention Center
P.O. Box 439049
San Diego, CA 92143