

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Darwin Castillo

Petitioner,

v.

INJUNCTIVE RELIEF
TEMPORARY RESTRAINING ORDER

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

'26CV3006 JLS JLB

MOTION FOR TEMPORARY RESTRAINING ORDER,
AND
INJUNCTIVE RELIEF

TEMPORARY RESTRAINING ORDER

Petitioner-Plaintiff, Darwin Castillo 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 Darwin Castillo is a 34-year old from Guatemala who came into the United States on year 2012 for a better life and future and also fleeing the danger in his country. Petitioner also served the Military in Guatemala and had to desert due to members [REDACTED] making direct threats to Petitioner for not cooperating with them. Once in the United States Petitioner began working in Tire Shops, Restaurant's, and Donuts Shop's. Petitioner has always kept a job and been a responsible man when having to pay rent and bills. During Covid-19 Petitioner also exposed himself by working during the pandemic to provide food and shelter to his family. Petitioner' is legally married to a U.S.C. Since 2023 and has been in a relationship with her since 2017. Petitioner has a 8 years old daughter whom is a U.S.C. [REDACTED] Moving forward to Petitioner's arrest which on 2021 during Covid-19 for a possession of a B.B Gun then again on 2024 for charges P.C. 646.9 (A) and P.C. 647 (A) which Petitioner does not recollect what charges are for what year. Here Petitioner is under current Intensive Mental Health care for "PTSD" because of the past experience in his country of Guatemala. Petitioner is a survivor of victimization of child exploitation since he was a boy of 5 years of age up until his 11th year of age and that's when

Petitioner fled his home and into the streets for safety. Petitioner is Diagnosed as a Franco-Gonzalez v. Holder a member which means Petitioner is incompetent to represent himself or able to understand what is happening in the courts. Petitioner here shows his Diagnosis and Mental Health records to this court ICE has continuously violated Detainees Due Process Rights under the 14th Amendment of the U.S. Constitution. Petitioner has always paid his income tax which shows Good Moral Character and responsibility. Petitioner has extensive family ties in the United States whom are U.S.C Petitioner did nothing wrong and here it is clear that ICE is and has been abusing the Authority which is illegal. Here Petitioner has no Attempt of Escape clearing him from a "Flight Risk" and also has no Violent or Aggravated Convictions on his criminal history which clears him for the "Danger to the Community". Petitioner here request that this Honorable Court to approve this Habeas Corpus and Temporary Retraining 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.

Donald trump's administration has fired or forced out roughly 100 immigration judge's since the president took office, including more than a dozen in the last two weeks alone. The administration purged at least eight immigration judges from New York city Monday, according to the union that represents them. another five judges in San Francisco were fired last month without explanation.

Unlike Federal District courts, Immigration Courts operate under the Department of Justice and at the direction of the Attorney General. Trump's radical overhaul of the nation's immigration system has upended the courts that keep it running to expedite his mass deportation agenda. One of the judges in New York is Amiena khan, the assistant chief immigration judge at 26 federal plaza, a federal complex in Manhattan that houses immigration agencies and courtrooms. the departures have whittled the number of immigration judges down from 715 to roughly 600, marking a 16

percent drop within 11 months. dozens of the other judges have retired or resigned since the start of the Trump's administration 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 he can care for him. Also this facility is being Sued by the San Diego County Health Department for Medical Negligence and here I am suffering of Mental Health Crisis without any intervention by the Mental Health Department. 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.

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.

Date: 5-5-2026

Sincerely

Darwin Castillo

Otay Mesa Detention Center
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