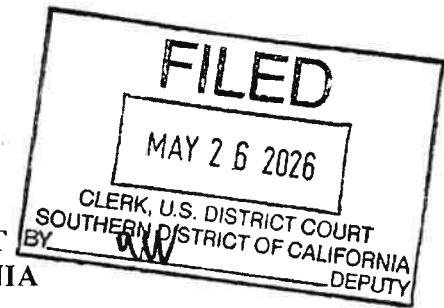


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA



Eshaya Gilbert Eshaya

'26CV3247 TWR MMP

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, Eshaya Gilbert Eshaya 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 Eshaya Gilbert Eshaya is a 61-year old from Iraq who entered the United States on 1-24-1975 as a 10 year old child refugee thru Chicago Illinois. Petitioner then adjusted his status to Lawful Permanent Resident on year 1975. Petitioner once in the United States enrolled in school in Chicago Ullinois and attended grade school and graduated High Sachool. As a young man Petitioner began working legally and helped his parents with house bills. Petitioner's father became a Naturalized U.S.C after Petitioner turned 18 years of age. Petitioner suffered an arrest in 1990 then was released on early discharged. Here Petitioner has been released by the corrections department and or by ICE. Here most recently Petitioner was encountered by ICE after being released from Central County Jail in San Diego, violating Petitioner's Due Process Right under the 14th Amendment under the U.S. Constitution. Petitioner is Non-Deportable alien who has been ordered removed back to Iraq since 2006. Numerous times ICE/ERO/DHS has Reinstated Petitioner's Order of Supervision since ICE cannot secure travel documentd for Petitioner. Petitioner suffer's of High Blood Pressure and chronic back pain. Here Petitioner has unsurmountable family ties in the United States and has ZERO ties in Iraq. Petitioner has 2 U.S.C children of ages 29, and 27. Petitioner here request that this Honorable

Court to 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. Donald Trump's administration has fired or forced out roughly 100 immigration judges 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 requests that this Honorable Court through his Habeas Corpus be approved for an Immediate Release. Petitioner requests 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 worsened 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. Also this facility is being Sued by the San Diego County Health Department for Medical Negligence and here I am suffering of High Blood Pressure without receiving the appropriate medication.

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: 5-19-2026

Sincerely

A black rectangular box with a white 'X' drawn across it, used to redact a signature.

Eshaya Gilbert Eshaya

A black rectangular box with a white 'X' drawn across it, used to redact a line of the address.

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

