

Ferley Lopez Torres
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22844 Virginia Boulevard
California City, CA 93505
In Pro se

DETAINED

FILED

JUL 06 2026

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
DEPUTY CLERK

Ferley Lopez Torres,
Petitioner,
VS
Warden of California City Detention Facility
Respondent's.

Case No. 1:26 CV 05190 DJC JDP (Hr)

**REQUEST FOR EMERGENCY
TEMPORARY RESTRAINING
ORDER (TRO)**

Here now comes, Ferley Lopez Torres, the petitioner whom respectfully submits this Request for Emergency Temporary Restraining Order (TRO) pursuant to U.S.C.S. fed. R. Civ. P. 65 (a)(1) & (b) (1). Petitioner in Pro se and through the assistance of another Inmate here at the California City Detention Facility hereby submits this here Request for Emergency (TRO).

1.

INTRODUCTION

On June 22, 2026, the petitioner Ferley Lopez Torres, sent to be filed a Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241, Requesting Injunctive Relief and seeking release within 3-to-30 days (with appropriate conditions of supervision if the court deems proper) and to hold a hearing before this court to determine if petitioner's detention is justified because the government has not established by clear and convincing evidence that Petitioner presents a risk of flight or danger to

society in light of available alternatives to detention.

II

STATEMENT OF THE FACTS

Petitioner entered this country with his family around April 27, 2022, where he was inspected as he entered the U.S. from Colombia. By April 30 2022, 3 days later (having found he had no prior criminal conviction's, ICE found him not a threat or danger to society nor a Flight risk), D.H.S./ICE released him on Parole and conditional liberty. Petitioner has been in the country for two and a half years raising his family; "His wife and two children" while working (has work permit and Social Security since June 18, 2024) at Uber and Door Dash without a single infraction nor incident with the law (nor any criminal history in any part of this world). On or about June. 19, 2026, ICE decided to arrest him without prior warning, arrest warrant, or nor notification and hold him in a high level detention without a bond hearing where he finds himself now.

III

ARGUMENT AND AUTHORITIES

A Temporary restraining order may be issued without written or oral notice to the adverse party or its attorney[.] Finklestein v. Mt. Sinai Med. Ctr. Of Fla., 2023 U.S. Dist. LEXIS 166723, 2023 WL 611817, at *2 n. 1 (S.D. Fla. Sept. 19, 2023)(Altman,J) (quoting FED. R. Civ. P. 65 (b)(1)). A TRO "is appropriate where the movant demonstrates that (a) there is a substantial likelihood on the merits; (b) the TRO... is necessary to prevent irreparable injury; (c) the threatened injury outweighs the harm that the TRO... would cause the non-movant, and (d) the TRO... would not be adverse to the public interests." Parker v. State Bd. Of Pardons and Paroles, 275 F.3d 1032, 1034-35 (11th Cir. 2023)

A) Petitioner is likely to succeed on the merits of his claim for the reason that Respondents have violated the INA rules and regulations and improperly subjected him to mandatory detention without a hearing, warning, or arrest warrant (Charging him with a 212(a) (A)(i) "You are an alien in the United States who has not been admitted or paroled".) Due process

requires "adequate procedural protections" to ensure that the government's asserted justification for physical confinement "outweighs the individual's constitutionally protected interest in avoiding physical restraint. "*Zadvydas*, 533 U.S. At 690 (internal quotation marks omitted). In the immigration context, the Supreme Court has recognized only two valid purposes for civil detention-- to mitigate the risks of danger to the community and to prevent flight risk, *Id* ; *Demore*, 538U.S. At 528. Petitioner is caged like a Felon in a high security level prison cell while his wife and children are left without their main stream of income and support. Here, ICE has already paroled (DHS/ICE/Border Patrol inspected and already concluded that he poses no risk to community and no flite risk) petitioner to fix his immigration status; with a finding that he is not a danger to society; as long as he maintains his agreed upon conditions (which he has met).

B) Petitioner has a protected liberty interest when he has originally been released from custody, The government's decision to release an individual from custody creates "an implicit promise ", upon which the individual may rely, that their liberty will be revoked only if they fail to live up to the ... conditions of release, "*Pinchi v. Noem*, 792 F.Supp. 3D 1025, 1032 (N.D. Cal. Jul 24, 2025) (quoting *Morrissey*, 408 U.S. At 482). Here, the petitioner had been released over 2 and half years ago (ICE didn't consider him a danger to the community), he did exactly what was required of him which was to report to every court scheduled hearing to fix his immigration status. Indeed, he the petitioner has a liberty interest in his freedom and the proof is in the 2 and half years that he was out in the community.

C) -D) Here the balancce of equities and Public interest tips in the favor of the petitioner, (favoring injunctive relief) for petitioner has has remained in the community for over 2 and a half years, has no Felonies (no incidents with the law here or any part of the world) and where his detention is creating an absurd weight on tax paying citizens that is in-excusable. (petitioner was a taxpayer and ICE wants to waste taxpayers money by keeping him in

detention without reason). Petitioner has established not only that his threatened injuries (where petitioner's allegations in the petition establish unlawful detainer by the Respondent) that outweigh the harms that a TRO would cause Respondents but also that a TRO would serve the public interest: ensuring due process maintains an appropriate balance of interests.

CONCLUSION.

Ferley Lopez Torres, requests the court turn to "Erickson v. Pardus, 551 U.S. 89, 94, 127 S.Ct. 2197, 167 L.Ed 2d 1081 (2007)" "A document filed pro se is to be liberally construed.", Estelle, 429 U.S., at 106, 97 S.Ct 285, 50 L.Ed 2d 251, and "a pro se complaint, however inartfully pleaded, must be held to less stringent standards than formal pleadings drafted by lawyers; *ibid* (internal quotation marks omitted). Cf. Fed. Rule Civ. Proc. (F) ("All pleadings shall be construed as to do substantial justice").

For the reasons stated above, Petitioner hereby prays this here court of The United States District Court of The Eastern District of California **GRANT** his REQUEST FOR TEMPORARY RESTRAINING ORDER AND RELEASE HIM..

I declare under penalty of perjury that the foregoing is true and correct and that this here request was executed at California City Detention Facility in California City California.

Dated:

June 22, 2026

Respectfully Submitted



Ferley Lopez Torres

In Pro se

CERTIFICATE OF SERVICE

I here certify that a true copy of this Certificate of Service and Petitioners, Request for Emergency Temporary Restraining Order was place in a prepaid postage envelope and deposited at the California City Immigration Detention Facility, mailing system authorize by the detainees on April 16 , 2026 in California City, CA address to the Following

Office of the Clerk
United States District Court
Eastern District of California
2500 Tulare Street, Suite 1501
Fresno, CA 93721

I declare under penalty of perjury that the foregoing is true and correct.

Dated:
June 22, 2026

Ferley Lopez Torres



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