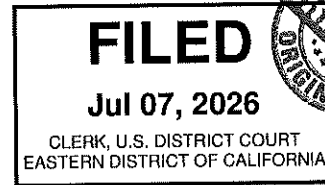


V.

Respondents.

தமிழ்நாடு



Case No.

1:26-cv-05231-JLT-EPG

****EMERGENCY MOTION FOR TEMPORARY RESTRAINING
ORDER AND REQUEST FOR IMMEDIATE RELEASE ****

I. INTRODUCTION

Petitioner, **Ignacio Velasquez Velsquez**, respectfully moves this Court for a **Temporary Restraining Order (TRO)** under Rule 65 of the Federal Rules of Civil Procedure.

Petitioner seeks **immediate release from immigration detention**, or in the alternative, a prompt adequate release, because his continued detention violates the **Due Process Clause of the Fifth Amendment**.

This motion is filed on an **emergency basis** due to ongoing unlawful deprivation of liberty.

II. FACTUAL BACKGROUND

- 1) Petitioner has been detained at **California City Immigration Processing Center, 22844 Virginia Boulevard California City, CA**, since **March 18, 2026**.
- 2) Petitioner is currently in removal proceedings and has filed:

- a. Form I-589 (Application for Asylum and for Withholding of Removal);
 - b. A claim for protection under the Convention Against Torture (CAT), all pending before the Board of Immigration Appeals (BIA).
- 3) Petitioner has resided in the United States since **October 2016** and has established strong family and community ties, including a stable residence in Miami, Florida.
 - 4) Petitioner has **no aggravated felony convictions** and no crimes involving moral turpitude.
 - 5) Petitioner is **not a danger to the community** and **not a flight risk**, and is willing to comply with any conditions of release, including monitoring or bond.

III. LEGAL STANDARD

A Temporary Restraining Order is warranted where the movant demonstrates:

1. Likelihood of success on the merits;
2. Irreparable harm absent relief;
3. Balance of equities in movant's favor; 4. Relief serves the public interest.

IV. ARGUMENT

A. Likelihood of Success on the Merits

Petitioner is likely to succeed because his **prolonged immigration detention without a constitutionally adequate bond hearing violates due process**. The Supreme Court has recognized constitutional limits on immigration detention, including:

- *Zadvydas v. Davis*, 533 U.S. 678 (2001)
- *Jennings v. Rodriguez*, 583 U.S. ____ (2018)

These cases confirm that immigration detention must be **reasonably related to its purpose and subject to constitutional constraints**.

B. Irreparable Harm

Petitioner suffers ongoing irreparable harm, including:

- Loss of physical liberty
- Emotional and psychological harm

- Separation from family and community

Loss of liberty constitutes irreparable injury as a matter of law.

C. Balance of Equities

The balance of equities strongly favors Petitioner:

- Petitioner presents no danger to the public
- Petitioner is not a flight risk
- Continued detention is excessive and unjustified under the circumstances

D. Public Interest

The public interest supports:

- Enforcement of constitutional protections
- Prevention of unlawful detention
- Fair and lawful immigration proceedings
-

V. REQUEST FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Issue a Temporary Restraining Order directing Petitioner's immediate release; OR
2. Grant any other relief the Court deems just and proper.

VI. DECLARATION

I, Ignacio Velasquez-Velsquez declare under penalty of perjury that the foregoing is true and correct.

Date: July 6th 2026

Signature:

_____  _____

Ignacio Velasquez-Velsquez

VII. CERTIFICATE OF SERVICE

I certify that a copy of this Motion was served on:

- U.S. Attorney's Office, Eastern District of California
- U.S. Immigration and Customs Enforcement (ICE)

Date: July 6th 2026

Signature:



Ignacio Velasquez Velsquez


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

IGNACIO VELASQUEZ-VELSQUEZ


Petitioner,

v.

Warden of California City Immigration Processing Center
Christopher Chestnut et al.,
U.S. Immigration and Customs Enforcement (ICE)
Respondents.

PROPOSED TEMPORARY
RESTRAINING ORDER

Case No.

PROPOSED TEMPORARY RESTRAINING ORDER

Upon consideration of Petitioner Ignacio Velasquez-Velsquez's **Emergency Motion for Temporary Restraining Order**, the pleadings, and the record before the Court, the Court finds as follows: Petitioner has demonstrated:

1. A likelihood of success on the merits;
2. That he will suffer **irreparable harm** absent immediate relief;
3. That the balance of equities favors granting relief; and
4. That the public interest supports enforcement of constitutional protections.

IT IS HEREBY ORDERED THAT:

1. Petitioner's Motion for Temporary Restraining Order is **GRANTED**.
2. Respondents are hereby **TEMPORARILY RESTRAINED** from continuing to detain Petitioner without further order of this Court.
3. Respondents shall **RELEASE Petitioner immediately** from custody under appropriate conditions, or in the alternative:
4. Respondents shall provide Petitioner with a **constitutionally adequate bond hearing within seven (7) days**, at which:
 - o The government bears the burden of proof; and
 - o The standard of proof shall be **clear and convincing evidence**.
5. This Temporary Restraining Order shall remain in effect until further order of this Court.

IT IS FURTHER ORDERED THAT:

6. Respondents may file a response to Petitioner's motion within a timeframe set by the Court.
7. The Clerk of Court shall serve a copy of this Order on all parties.

SO, ORDERED.

Dated: _____

UNITED STATES DISTRICT JUDGE