

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
MONROE DIVISION**

CARLOS GUERRA LEON,

Petitioner,

v.

KRISTI NOEM, et al.,

Respondents.

Case No.: 3:25-cv-01495

Judge: Terry A Doughty

Magistrate Judge: Kayla D McClusky

**MEMORANDUM OF LAW IN SUPPORT OF PETITIONER'S MOTION FOR A
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

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INTRODUCTION

Petitioner, Carlos Eduardo Guerra Leon (“Carlos”) respectfully moves this Court for a Temporary Restraining Order prohibiting Respondents from continuing to detain him in civil immigration detention during the pendency of this habeas action.

Carlos Eduardo Guerra Leon (“Carlos”) is an 18-year-old from Spring Valley, New York who graduated from high school three months ago. He just turned 18 in May of 2025 and, until August 9, 2025, was living with his mother. On August 9, 2025, Immigration and Customs Enforcement (“ICE”) arrested him without a warrant while he was on his way to work—a job that Carlos maintained from age 15 to support his mother and save for his education. After his warrantless arrest, Carlos was transferred from New York to Jackson Parish Correctional Center in Jonesboro, Louisiana, where he has remained detained ever since. Because Carlos seeks only release from detention, habeas is the appropriate vehicle for the relief he seeks.

Carlos came to the United States from Guatemala when he was 10 years old, after suffering abandonment and neglect at the hands of his father. Carlos was approved for Special Immigrant Juvenile Status (“SIJS”), a humanitarian immigration protection enshrined in federal statute that affords certain immigrant children the opportunity to remain safely and permanently in the United States. Because of a visa backlog, with his SIJS approval, Carlos also received a four-year, renewable grant of deferred action and accompanying employment authorization. This allowed him to attend school, work legally, and build a stable life here in the United States without the threat of deportation while he waits to apply for a green card. Carlos, now 18 years old, has no criminal history.

Carlos now sits in a jail in civil immigration detention, despite the fact that he cannot be lawfully removed. While Carlos has an order of removal from 2019, issued against him *in absentia* without his knowledge when he was 12 years old, his grant of deferred action prevents ICE from

deporting him. Moreover, deporting Carlos would completely undermine the purpose of the SIJS statute. Through his grant of SIJS, Carlos is on a path to permanent legal status, which he must remain in the United States to access. Deporting him would serve as *de facto* termination of his SIJS status without going through the required processes, and would therefore also eviscerate Congress' goal in creating the status in the first place. And, Carlos' detention was initiated by federal agents who arrested Carlos without a warrant, despite the fact that Carlos has valid SIJS and deferred action and presented no risk of escape.

Carlos' warrantless arrest violated his statutory and constitutional rights. Because his arresting officers had no reason to believe that Carlos was not lawfully present or presented a risk of escape, his arrest without a warrant violated his Fourth Amendment rights and 8 U.S.C. § 1357(a)(2). And because Carlos cannot be removed, his ongoing detention—particularly without any individualized review—serves no lawful purpose and runs afoul of the substantive and procedural due process protections of the Fifth Amendment, as well as 8 U.S.C. § 1231(a)(6). Carlos brings this habeas petition challenging his unlawful arrest and detention.

As demonstrated below, Carlos satisfies all four factors for the granting of preliminary relief. First, he is likely to succeed on the merits of his claims based on binding Supreme Court precedent. Second, he has established irreparable injury, as his unconstitutional detention itself constitutes irreparable harm. *Kostak v. Trump*, No. CV 3:25-1093, 2025 WL 2472136 (W.D. La. Aug. 27, 2025) (finding that “the unconstitutional deprivation of liberty, even on a temporary basis, constitutes irreparable harm”). Third, the balance of equities weigh heavily in favor of his release. He is an 18-year-old who just graduated high school with a pathway to citizenship and no criminal history. Finally, the public has no interest in violating the law by detaining him when his removal

is not reasonably foreseeable. In short, this Court should grant a Temporary Restraining Order ordering Carlos' release from detention.

FACTUAL AND PROCEDURAL BACKGROUND

A detailed recitation of the facts can be found in Carlos' habeas petition. ECF No. 1. A short summary is provided here for context. Carlos was born in Guatemala in 2007. As a child in Guatemala, he suffered neglect and abandonment by his father, who failed to support him, provide for his basic necessities, or protect him from sexual abuse. Carlos came to the United States in 2018 when he was 10 years old, settling in Spring Valley, New York with his mother. On July 23, 2019, when he was only 12 years old, he was ordered removed by an immigration court *in absentia* and without his knowledge.

On March 29, 2022, the New York State Family Court in Rockland County found that Carlos had been abandoned and neglected by his father in Guatemala, and that it was in his best interests to remain in the United States. The court granted sole physical and legal custody to Carlos' mother. Based on these state court findings, Carlos applied for SIJS with USCIS.

On December 9, 2022, USCIS granted Carlos' application for SIJS and concurrently granted him deferred action. Carlos received an I-797A Notice of Action, which stated: "USCIS has determined that you warrant a favorable exercise of discretion to receive deferred action. As a result, you have been placed in deferred action and you may be issued an employment authorization document." *See* Pet., Ex. 1, I-797A Notice of Action. The notice also stated: "Your grant of deferred action will remain in effect for a period of four years from the date of this notice unless terminated earlier by USCIS." *Id.* Therefore, Carlos' deferred action does not expire until December 9, 2026.

Though he is still young, Carlos has established himself as a responsible, dependable, and hardworking young person. He turned eighteen in May and graduated from high school in June. From approximately age 15 until his unlawful arrest and detention, Carlos worked at a carwash near his home in New York. Carlos shared his earnings with his mother to cover rent and groceries, and planned to use his savings to pay for a program that provides vocational and technical training for high school students and graduates. Through that program, Carlos hoped to learn a trade and, eventually, establish a stable career to support himself in the United States.

On August 9, 2025, Carlos was driving to work when agents stopped his vehicle. The agents did not ask any questions; they removed Carlos from the car without asking for his name, identification, or immigration status. They did not ask if he had a stable address or stable job. After taking Carlos into custody, ICE transferred Carlos to Jackson Parish Correctional Center in Jonesboro, Louisiana, where he remains today.

ARGUMENT

Under Rule 65 of the Federal Rules of Civil Procedure, a movant is entitled to a preliminary relief, including a Temporary Restraining Order (“TRO”), by showing: (1) a substantial likelihood of success on the merits of their claims for relief; (2) a substantial threat of irreparable injury absent the injunction; (3) that the threatened injury outweighs any damage that injunction may cause the opposing party; and (4) that the injunction will not disserve the public. *Lake Charles Diesel, Inc. v. General Motors Corp.*, 328 F.3d 192, 195 (5th Cir. 2003). Each of these factors weighs in favor of granting a TRO here.

I. CARLOS IS LIKELY TO SUCCEED ON THE MERITS OF HIS CLAIMS.

Carlos is likely to succeed on the merits of his claims for three reasons. First, his detention violates 8 U.S.C. § 1231(a)(6) and his substantive due process rights under the Fifth Amendment

because he cannot be lawfully removed, and therefore his removal is not reasonably foreseeable. Second, his sudden detention, despite his grant of SIJS and valid deferred action, without notice and an opportunity to respond violates his procedural due process rights under the Fifth Amendment. Third, his warrantless arrest occurred outside of any statutory authority and therefore violated his Fourth Amendment rights.

A. Carlos' Detention Is Unlawful Because It Violates 8 U.S.C. § 1231(a)(6) and His Substantive Due Process Rights Under the Fifth Amendment of the U.S. Constitution.

Carlos cannot be lawfully removed, so his detention is not authorized by statute or by the Fifth Amendment. The detention of noncitizens with final removal orders, like Carlos, is governed by 8 U.S.C. § 1231. The statute provides for a “removal period,” defined as the 90 days following the date the order of removal becomes administratively final. 8 U.S.C. § 1231(a)(1)(B).¹ During the removal period, detention is mandatory. 8 U.S.C. § 1231(a)(2)(A). If ICE does not remove the noncitizen during the removal period, the statute permits, but does not require, detention “beyond the removal period” in certain circumstances, including where the noncitizen is inadmissible under 8 U.S.C. § 1182. 8 U.S.C. § 1231(a)(6).

To avoid potentially “indefinite detention” that would raise “serious constitutional concerns,” in *Zadvydas v. Davis*, the Supreme Court interpreted § 1231(a)(6) to include an implicit time limit. Because the fundamental purpose of detention under the statute is to “bring about the noncitizen’s removal from the United States,” the Court explained, “once removal is no longer reasonably foreseeable, continued detention is no longer authorized by [the] statute.” 533 U.S. 678, 699 (2001). The *Zadvydas* Court found detention under § 1231(a)(6) *presumptively*

¹ There are two other events that trigger the start of the removal period, but neither are applicable here. *See* 8 U.S.C. § 1231(a)(1)(B)(ii)-(iii).

reasonable for only up to six months: the mandatory removal period, plus an additional ninety days of discretionary detention. *Id.* at 701.

But the Supreme Court did not prohibit noncitizens from challenging the reasonableness of their detention *before* the six-month mark. *Zadvydas*, 533 U.S. at 699-701; *Ali v. Dep't of Homeland Sec.*, 451 F. Supp. 3d. 703, 706-07 (S.D. Tex. 2020) (“The six-month presumption is not a bright line . . . and *Zadvydas* did not automatically authorize all detention until it reaches its constitutional limits.”); *Munoz-Saucedo v. Pittman*, No. CV 25-2258 (CPO), 2025 WL 1750346 (D.N.J. June 24, 2025) (same); *Hoang Trinh v. Homan*, 333 F. Supp. 3d 984, 994 (C.D. Cal. 2018) (same); *Cesar v. Achim*, 542 F. Supp. 2d 897, 903 (E.D. Wisc. 2008) (same). Accordingly, when a noncitizen “‘can prove’ that his removal is not reasonably foreseeable,” his detention is not statutorily authorized and he is entitled to release. *Munoz-Saucedo*, 2025 WL 1750346, at *5 (citing *Riverside v. McLaughlin*, 500 U.S. 44, 56 (1991)).

Here, Carlos’ removal period expired in 2012, 90 days after his removal order became final. And while he has not yet been in detention for six months, he can definitively prove that his removal is not reasonably foreseeable. That is because his removal is prevented by law.

First, Carlos’ valid grant of deferred action precludes his removal. *See Reno v. Am.-Arab Anti-Discrimination Comm.*, 525 U.S. 471, 484 (1999); *Primero v. Mattivelo*, No. 1:25-CV-11442-IT, 2025 WL 1899115, at *4 (D. Mass. July 9, 2025) (“Respondents do not suggest that ICE routinely removes individuals with active grants of deferred action from the United States”); *Sepulveda Ayala v. Bondi*, No. 2:25-CV-01063, 2025 WL 2084400, at *4 (W.D. Wash. July 24, 2025) (same, collecting cases). Second, Carlos has a procedural due process right under the INA and DHS regulations not to have his SIJS revoked without notice and an opportunity to submit evidence in opposition to the revocation and to appeal an adverse decision. 8 U.S.C. § 1155; 8

C.F.R. § 205.2. Because the INA requires that a youth be present in the United States to have SIJS, 8 U.S.C. § 1101(a)(27)(J), Carlos' forced removal from the United States would constitute a *de facto* revocation of his SIJS without the required process. *See* 8 U.S.C. § 1101(a)(27)(J). Third, removing Carlos would contravene the very purpose of the SIJS statute. Congress provided children like Carlos with a means to adjust their status to become a lawful permanent resident from within the United States. Carlos' removal would therefore subvert that clear Congressional goal. For each of these reasons, Carlos' removal is legally precluded, and there is simply no likelihood that he will be removed in the reasonably foreseeable future. Accordingly, his detention is not authorized by 8 U.S.C. § 1236(a)(6).

For the same reasons, Carlos' detention is also a violation of his substantive due process rights under the Fifth Amendment. The Supreme Court has long recognized that noncitizens physically present in the United States are entitled to due process protections, regardless of their immigration status. *Zadvydas*, 533 U.S. at 693; *Mathews v. Diaz*, 426 U.S. 67, 77 (1976). Substantive due process requires that there be a reasonable relation between an individual's detention and the government's purported interests in that detention. *See Jackson v. Indiana*, 406 U.S. 715, 738 (1972); *Brown v. Taylor*, 911 F.3d 235, 243 (5th Cir. 2018). As the Supreme Court recognized in *Zadvydas*, the government's only interests in post-order immigration detention are to (1) prevent flight risk, so a person can actually be removed, or (2) otherwise ensure the safety of the community. *Zadvydas*, 533 U.S. at 690-91. But if a person cannot actually be removed, "preventing flight" is a "weak or nonexistent" justification. *Id.* at 690; *cf. Phan v. Reno*, 56 F. Supp. 2d 1149, 1156 (W.D. Wash. 1999) ("Detention by the INS can be lawful only in aid of deportation."). Detention for community safety, in turn, is only permissible "when limited to specially dangerous individuals and subject to strong procedural protections." *Id.* at 691.

Here, the government's inability to lawfully remove Carlos eliminates any justification of flight risk, which the government could not show in any event, given Carlos' lengthy residence in the United States, his deep ties to his family and community in New York, and his ability as an SIJS beneficiary to eventually adjust to lawful permanent resident status and then gain citizenship. And Carlos' lack of any criminal record obviously eliminates any possible justification of danger.

Therefore, because Carlos' removal is not reasonably foreseeable and there is no other justification for his detention, he is likely to succeed on the merits of his claim that this detention is both statutorily and constitutionally unlawful. *See Primero*, 2025 WL 1899115, at *5 (granting habeas petition of SIJS youth with deferred action, as removal was not reasonably foreseeable); *Sepulveda Ayala v. Bondi*, No. 2:25-cv-01063, 2025 WL 2209708, at *4 (W.D. Wash. Aug. 4, 2025) (granting habeas petition of noncitizen with deferred action for same reason).

B. Carlos' Detention Is Unlawful Because It Violates His Procedural Due Process Rights Under the Fifth Amendment of the U.S. Constitution.

Carlos' detention without any prior or subsequent opportunity to contest that detention also violates the procedural due process guarantee of the Fifth Amendment, which require that individuals be provided notice and an opportunity to be heard before being deprived of liberty or property interests. *Mathews v. Eldridge*, 424 U.S. 319, 332 (1976). When assessing what process an individual is due, the Court must weigh (1) Carlos' private interests and (2) the risk of the erroneous deprivation of those interests under current procedures against (3) the Government's interest and the cost of additional procedures. *Id.* at 335.

Here, considering the first factor, Carlos' grant of SIJS and valid deferred action created a protected liberty interest—a valid expectation that, unless either of those grants were lawfully terminated or some other relevant circumstance changed, he would not be stripped of his freedom and ability to safely build a life in the United States. Under the current framework, however, Carlos

is almost certain to be erroneously stripped of that liberty interest. Prior to his arrest, there is no indication that ICE made any review of Carlos' record to determine whether his detention was actually warranted; "instead, [his] detention was the result of an enforcement action targeting a third party." *Primero*, 2025 WL 1899115, at *5. And in contrast to the petitioner in *Zadvydas*, there is no indication that, post-detention, Carlos "has been afforded [any] review of his detention." *Id.* Moreover, the only review he will eventually be afforded will be a cursory review of his file by ICE itself, whose determination will not be able to be appealed. *See* 8 C.F.R. §§ 241.4; 241.14. As many courts have concluded, this is no substitute for the meaningful, individualized review by a neutral arbiter that due process requires. *See, e.g., Diouf v. Napolitano*, 634 F.3d 1081, 1091 (9th Cir. 2011), *abrogated on other grounds as recognized in Rodriguez Diaz v. Garland*, 53 F.4th 1189, 1201 (9th Cir. 2022); *Cabrera Galdamez v. Mayorkas*, 2023 WL 1777310, at *6-7 (S.D.N.Y. Feb. 6, 2023) (discussing procedural shortcomings of post-order custody reviews conducted by ICE). This makes the value of additional process high. *See Eldridge*, 424 U.S. at 343. As for the third factor, the government has no interest in detaining Carlos: he cannot be deported, he does not present any flight risk, and he does not present a danger. Meanwhile, additional process would entail little to no burden on the government. *See id.* at 347. Ultimately, because Carlos has a protected liberty interest at stake and received no process prior to or since the deprivation of that interest, he is likely to succeed on the merits of his claim that this detention violates his procedural due process rights. *See Santiago v. Noem*, No. EP-25-CV-361-KC, 2025 WL 2792588, at **11-14 (W.D. Tex. Oct. 2, 2025) (granting habeas petition and ordering release of noncitizen with deferred action where government "failed to even articulate an individualized reason for which she should be detained").

C. Carlos' Detention Is Unlawful Because It Violates His Right Against Unreasonable Searches and Seizures Under the Fourth Amendment of the U.S. Constitution and 8 U.S.C. § 1357(a)(2).

At the time of his warrantless arrest, Carlos had approved SIJS with deferred action and was not a flight risk. The Fourth Amendment protects “[t]he right of the people to be secure in their persons . . . against unreasonable searches and seizures.” U.S. Const. amend. IV; *see also INS v. Lopez-Mendoza*, 468 U.S. 1032, 1044 (1984) (acknowledging that deportation proceedings are civil, but the Fourth Amendment still applies to the “seizure” of the person). Congress enacted a strong preference that immigration arrests be based on warrants. *See Arizona v. U.S.*, 567 U.S. 387, 407–08 (2012). If an immigration arrest is going to be warrantless, it is authorized by statute only when an officer has “reason to believe” the person is violating the immigration laws *and* that the person “is likely to escape before a warrant can be obtained.” 8 U.S.C. § 1357(a)(2). Federal regulations track the strict limitations on warrantless arrests. *See* 8 C.F.R. § 287.8(c)(2)(ii).

These requirements are in addition to the general protections of the Fourth Amendment, which requires that all arrests entail a neutral, judicial determination of probable cause. *See Gerstein v. Pugh*, 420 U.S. 103, 114 (1975). Arrest and detention of a person, including of a noncitizen, absent a neutral, judicial determination of probable cause violates the Fourth Amendment. *Id.*; *see also Cnty. of Riverside v. McLaughlin*, 500 U.S. 44, 57 (1991).

At the moment of seizure, Carlos (a) had been granted SIJS and deferred action, both of which were in valid status, and (b) was traveling from his stable home address to his stable work address, where agents would certainly have been able to find him at a later time. No officer could hold a reasonable belief that he was present in violation of the immigration laws and that he was likely to escape before a warrant could be obtained, as required by statute. *See* 8 U.S.C. § 1357(a)(2). Without a statutory basis to arrest, the Government is required under the Fourth

Amendment to secure a prompt judicial probable cause determination to continue holding Carlos. *Gerstein*, 420 U.S. at 114; *McLaughlin*, 500 U.S. at 56–57. Carlos received no such judicial determination, yet his detention continued well beyond 48 hours, rendering it presumptively unconstitutional.

Because Carlos’ warrantless arrest occurred in violation of the clear, narrow circumstances permitted by statute, his arrest lacked any legal basis and there continues to be no legal basis for his detention. Accordingly, he is likely to succeed on the merits of his claim that his ongoing detention is statutorily and constitutionally unlawful, requiring his release. *See Rosado v. Figueroa*, No. CV 25-02157, 2025 WL 2337099, at *18 (D. Ariz. Aug. 11, 2025), *report and rec. adopted sub nom. Rocha Rosado v. Figueroa*, No. CV-25-02157, 2025 WL 2349133 (D. Ariz. Aug. 13, 2025) (finding Fourth Amendment violation and ordering release where petitioner “was in the country for years with the acquiescence of the government”).

II. CARLOS IS SUFFER IRREPARABLE HARM.

“Perhaps the single most important prerequisite for the issuance of a preliminary injunction is a demonstration that if it is not granted the applicant is likely to suffer irreparable harm before a decision on the merits can be rendered.” *Monumental Task Comm., Inc. v. Foxx*, 157 F. Supp. 3d 573, 582–83 (E.D. La. 2016), *aff’d sub nom. Monumental Task Comm., Inc. v. Chao*, 678 F. App’x 250 (5th Cir. 2017) (quotations omitted). The Fifth Circuit requires only a “substantial threat” of irreparable injury, *DSC Commc’ns Corp. v. DGI Techs., Inc.*, 81 F.3d 597, 600 (5th Cir. 1996). It is well-settled that an injury is irreparable “if it cannot be undone through monetary remedies.” *Interlox Am. v. PPG Indus., Inc.*, 736 F.2d 194, 202 (5th Cir. 1984); *Daniels*

Health Scis., L.L.C. v. Vascular Health Scis., L.L.C., 710 F.3d 579, 585 (5th Cir. 2013) (defining irreparable injury as “harm for which there is no adequate remedy at law”).

Absent a TRO, Carlos will suffer irreparable harm of the sort that cannot be remedied at law. As this Court has acknowledged, “the unconstitutional deprivation of liberty, even on a temporary basis, constitutes irreparable harm.” *Kostak*, 2025 WL 2472136, at 3 (W.D. La. Aug. 27, 2025). Carlos has already been detained, a thousand miles from home, with no lawful purpose, for nearly 60 days. At only eighteen years old, he is separated from his family, missing work, and falling behind on saving for enrollment in his desired vocational program. Despite his best efforts to set himself on a good track, he has been thrown into sudden instability. This is time, and progress, that he will never get back. Therefore, the harm Carlos is enduring with each day he remains detained is certainly of the sort that “cannot be undone through monetary remedies.” *Interox Am.*, 736 F.2d at 202.

III. THE BALANCE OF EQUITIES AND THE PUBLIC INTEREST WEIGHS HEAVILY IN FAVOR OF CARLOS’ IMMEDIATE RELEASE.

Where, as here, the government is a party to the case, the third and fourth TRO factors—the balance of the equities and the public interest—merge. *Clarke v. Commodity Futures Trading Comm’n*, 74 F.4th 627, 643 (5th Cir. 2023). Generally, “a movant must establish that [his] irreparable harm is greater than the hardship the government would incur from a preliminary injunction.” *Purl v. United States Dep’t of Health & Hum. Servs.*, 760 F. Supp. 3d 489, 504 (N.D. Tex. 2024). Courts “may not consider a party’s desire or interest in continuing to engage in an alleged violation of statute.” *Id.* (internal quotations omitted). To be sure, “there is no public interest in the perpetuation of unlawful agency action[.]” *R.J. Reynolds Vapor Co. v. Food & Drug Admin.*, 65 F.4th 182, 195 (5th Cir. 2023). “To the contrary, there is a substantial public interest ‘in having governmental agencies abide by the federal laws that govern their existence and

operations.”” *Texas v. United States*, 40 F.4th 205, 229 (5th Cir. 2022) (quoting *Washington v. Reno*, 35 F.3d 1093, 1103 (6th Cir. 1994)).

The irreparable harm that Carlos faces—and is already facing each and every day—is far greater than any hardship the government would incur from his release. First, the harm Carlos is facing is extreme. Freedom from imprisonment is of the most essential freedoms protected by the constitution. *See Zadvydas*, 533 U.S. at 690. Carlos is being deprived of that essential liberty. He is certainly among the youngest, if not the youngest, in a detention center for men. Instead of continuing to follow the careful path he laid out for himself, a path which Congress paved and repeatedly endorsed, he is detained a thousand miles from home. Second, the government has no lawful reason to detain Carlos, so his release incurs no hardship on the government at all. As established *supra*, Carlos cannot be lawfully removed. The government’s “desire or interest” in continuing to unlawfully detain Carlos despite no constitutional basis existing for his detention does not hardship make. *See Purl*, 760 F. Supp. at 504. Third, to the extent the government *would* suffer hardship if forced to release someone who presents a flight risk or a danger to the community, Carlos presents neither. He has no criminal history. He has a stable home address and work address. He has a pathway to citizenship, incentivizing him to remain in the community in which he is already firmly settled and to continue building a secure life there. Accordingly, the government would face no hardship if a preliminary injunction were to be granted, while Carlos continues to suffer grave irreparable harm each day he is detained.

The public interest is not served by Carlos’ ongoing detention, which violates statutory and constitutional law governing Respondents’ existence and operations. *See Texas*, 40 F.4th at 229. Because the irreparable harm Carlos is suffering is patently greater than any hardship the

government would incur from his release, the balance of the equities and the public interest weigh heavily in favor of Carlos' immediate release.

IV. THE COURT SHOULD NOT REQUIRE CARLOS TO PROVIDE SECURITY PRIOR TO ISSUING A TEMPORARY RESTRAINING ORDER.

Federal Rule of Civil Procedure 65(c) provides that “The court may issue a preliminary injunction or a temporary restraining order only if the movant gives security in an amount that the court considers proper to pay the costs and damages sustained by any party found to have been wrongfully enjoined or restrained.” However, “Rule 65(c) invests the district court with discretion as to the amount of security required, if any.” *O.E. v. New Orleans Region Transit Auth.*, No. 23-2578, 2024 WL 2208716 (E.D. La. May 16, 2024) (“The amount of security required pursuant to Rule 65(c) is a matter of discretion of the trial court, and a court may elect to require no security at all.”). In this case, Respondents will not incur any costs or damages if the requested relief is granted in this case. Therefore, Petitioner respectfully requests that the Court not require Carlos to post security.

CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that this Court grant the motion for a temporary restraining order and preliminary injunction.

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Respectfully submitted,

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