

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION**

ABDIKHALAQ MOHMED ALI,	)	CIVIL ACTION NO. 25-cv-00419
	)	SEC. P
	)	
VERSUS	)	JUDGE DOUGHTY
	)	
JUSTIN WILLIAMS, ET AL	)	MAGISTRATE JUDGE PEREZ-
	)	MONTES
	)	

EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

For the reasons set forth in the accompanying memorandum, Petitioner hereby moves under Fed. R. Civ. P. 65(b) on an immediate and emergency basis for a Temporary Restraining Order ordering prohibiting Respondents from removing him from the United States while his application for TPS is pending and from removing him to Ethiopia without an opportunity to present his fear of that country to some neutral arbiter.

Petitioner is a Somali national who has been present in the United States since March 16, 2023. He has no criminal history and is otherwise eligible for Temporary Protected Status (TPS). On March 1, 2024, he was ordered removed to Somalia but has an application for TPS Somalia pending as of July 14, 2025. Petitioner's prior application for TPS was denied on the sole grounds that he

failed to appear for a biometrics appointment that Respondents scheduled in Minnesota while detaining him in Louisiana and refusing to take biometrics for USCIS as required under interdepartmental policy. He refiled accordingly.

On July 15, 2025, at 5:38: PM CST, Petitioner's Counsel received word that Respondents intend to remove him on July 16, 2025. This is problematic because TPS applicants who can illustrate prima facie eligibility are not removable until their application is adjudicated. *See* 8 U.S.C. § 1254a(a)(4)(B). As such, Petitioner cannot be removed, and Petitioner requests an emergency order establishing as much. Petitioner has also expressed a fear of removal to Ethiopia, but has not had an opportunity to have that claim heard by an immigration judge or any other adjudicator. The consequences of failing to grant this motion on Petitioner's liberty interests are profound as he will find himself beyond the territorial boundaries of the United States, having been removed in clear violation of law.

Petitioner hereby motions as follows:

1. Pursuant to Fed. R. Civ. P. 65(b), Petitioner seeks an Emergency Temporary Restraining Order temporarily prohibiting Respondents from removing him from the United States while his TPS application remains pending.
2. Pursuant to Fed. R. Civ. P. 65(b), Petitioner seeks an Emergency Temporary Restraining Order temporarily prohibiting Respondents from removing him to Ethiopia without first providing an opportunity to challenge removal based on a fear of that country.

WHEREFORE, Petitioner respectfully requests this Court:

- A. Grant this Motion for Temporary Restraining Order; and,
- B. Grant such other and further relief as justice may require.

Respectfully submitted,

/s/ William R. Penton, III

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July 16, 2025

Date

/s/ David L. Wilson

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July 16, 2025

Date