

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

Adonis Constantinovici,

Case No.: 3:25-cv-2405-RBM-AHG

Petitioner

v.

Pamela Bondi, Attorney General; Kristi Noem, Secretary of Homeland Security; Todd M. Lyons, Acting Director of U.S. Immigration & Customs Enforcement; Marcos Charles, Acting Executive Associate Director for Enforcement and Removal Operations; Patrick Divver, Field Office Director for Enforcement and Removal Operations; U.S. Immigration & Customs Enforcement; U.S. Department of Homeland Security; Christopher J. LaRose, Warden of Otay Mesa Detention Center.

Respondents.

**PETITIONER’S EMERGENCY
MOTION FOR TEMPORARY
RESTRAINING ORDER UNDER
FRCP 65(b) AND PRELIMINARY
INJUNCTION UNDER FRCP 65(a)**

**EXPEDITED HANDLING
REQUESTED**

**PETITIONER’S EMERGENCY MOTION FOR TEMPORARY RESTRAINING
ORDER AND PRELIMINARY INJUNCTION WITH EXPEDITED HANDLING**

Mr. Adonis Constantinovici (“Petitioner”), pursuant to 28 U.S.C. § 2241, the Fifth Amendment of the United States Constitution, 8 U.S.C. §§ 1101 *et seq.* (“the INA”), 5 U.S.C. §§ 702 *et. seq.* (the “APA”), Rule 65(a)-(b) of the Federal Rules of Civil Procedure, 28 U.S.C. § 1657 with reference to 28 U.S.C. Ch. 153, and 28 U.S.C. § 1651 (“All Writs Act”) moves the Court for entry of a Temporary Restraining Order and Preliminary Injunction enjoining Respondents, and all persons acting on Respondents’ behalf, from

continuing to infringe on Petitioner's constitutional rights by continuing to detain Petitioner, or taking any other related enforcement action against Petitioner.

Petitioner moves the Court to temporarily enjoin Respondents from attempting to move Petitioner from the State of California during this petition.

Petitioner moves the Court to order Respondents to provide 72-hour notice of any intended movement of Constantinovici pending the adjudication of Constantinovici's habeas corpus petition.

Petitioner moves the Court for an emergency preliminary order requiring Respondents to give Constantinovici due process prior to removing him to an allegedly safe third country in the form of a full merits hearing for asylum, withholding of removal, and DCAT before an immigration judge relating to the proposed country of removal with a right to an administrative appeal to the Board of Immigration Appeals.

Petitioner is concurrently filing an accompanying Memorandum of Law that fully sets forth the reasons this Motion must be granted.

The moving party does not intend at this time to present witness testimony at an evidentiary hearing, as it is believed this matter can be disposed of most efficiently on the papers.

WHEREFORE, Petitioner prays that this Court grant his request for a temporary restraining order and preliminary injunction.

DATED: September 14, 2025

Respectfully submitted,

LAW OFFICE OF SABRINA DAMAST

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*Attorney for Petitioner, pro hac vice
impending*