

**UNITED STATES DISTRICT COURT
WESTERN OF WASHINGTON
SEATTLE DIVISION**



TAREQ ZAKARNEH

Case No . 2:25-cv-1840-TL – MLP

Plaintiff,

V.

**EXPEDITE MOTION FOR A RESTRAIN
RESTRAIN ORDER VERSUS
THE DEFENDANT**

**UNITED STATES DEPARTMENT OF
JUSTICE ET AL,**

Defendant,

The defendant told the plaintiff on January,13,2026 that he will be removed form the facility on January,15,2026 to Florence, Arizona then he will be on Ice flight on January,17,2026 to Israel where he fear persecution, the plaintiff did not have the time to review the other habeas case decision which it was dismissed without prejudice and the judge erred with prejudice when he consider the Plaintiff is a criminal alien under 8 USC 1226(c) while the Plaintiff has clean criminal record .

The Plaintiff asking the court to grant him a restrain order versus the defendant from moving the plaintiff from the NWIPC to another facility or proceeding any removal from United states while his habeas petition is still pending at this court , because the

defendant before tried to remove the Plaintiff between June,6,2025 and June,12,2025 as on November, 22,2025 and on October, 2025 from the country while his petition was pending at the BIA and the his CAT application is still not processed with the USCIS as he still in immigration proceeding and he should be protected by the DED Fed.89 267161 order for Palestinian and the defendant with prejudice violate the plaintiff rights and decide he is not entitled to the Deferred enforcement departure for Palestinians with a violation of due process notice as he did not allow a proper communication when the defendant in pu the plaintiff in bad circumstances kept moving the Plaintiff from facility to another and the defendant talk his legal work between June, 6,2025 to July, 23,2025 which make him lose his deadlines to communicate with his lawyer from passage law and complete his forms to respond to the USCIS denial and intention to deny of his EB2 application by July,25,2025 see habeas proceeding Zakarneh v. IMMIGRATION CUSTOM ENFORCEMENT ET AL, case 2:25-cv-00707-DGE-GJL the law allow to use another court proceeding *see Pearson v. Washignton Mut.Bank* , N.A,801 App'x 586,587(9th Cir .2020), as he is now is new proceeding to refile his application which the extraordinary circumstances from his indefinite confinement with a retaliation from the defendant is costing him more time and hardship to refile his application, as the defendant did not communicate with the BIA to request an expedite ruling on his motion to stay while his motion to stay was pending with his motion to reopen with a violation of his due process rights on June ,8,2025 and June,12,2025 when ther tried to remove him for a different country without a proper notice *see A.A.R.P v. Trump* , 145 S. Ct.1364, for these reasons the Plaintiff is urging the court to grant him a restrain order versus the defendant.

This is dated on January,12,2026

Tareq Zakarneh
/s/ Tareq Zakarneh
Tareq Zakarneh, Petitioner