

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF LOUISIANA

OSCAR HERNANDEZ AMAYA,
Petitioner,

v.

DONALD J. TRUMP, *et al.*,

Respondents.

Civil Action No.
3:25-cv-00889-JWD-RLB

Judge:
John W. deGravelles

Magistrate Judge:
Richard L. Bourgeois, Jr.

**MOTION FOR RELEASE PENDING ADJUDICATION OF TEMPORARY
RESTRAINING ORDER, PRELIMINARY INJUNCTION
AND HABEAS CORPUS PETITION**

Petitioner Oscar Hernandez Amaya respectfully requests that this Court grant his Motion for Release Pending Adjudication of his Motion for Temporary Restraining Order and Preliminary Injunction (ECF No. 5) and Habeas Corpus Petition (ECF No. 1), filed October 6, 2025.

Although the habeas statute provides no fixed timeline for a decision, the statute favors prompt resolution of such claims. Therefore, deferred consideration would further subject Petitioner to detention which is in violation of his rights (ECF Nos. 1, 5-1). Grant of Petitioner's motion is necessary in light of the constitutional issues involved in Petitioner's detention—constitutional matters that will continue to remain if his temporary restraining order, preliminary injunction, and habeas petition are not granted presently.

WHEREFORE, for these reasons and any other others apparent to this Honorable Court, Petitioner requests that his motion be granted.

Dated: October 16, 2025

Respectfully submitted,

/s/ Sarah E. Decker*

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Attorneys for Plaintiff

**Admitted Pro Hac Vice*

***Pro Hac Vice application forthcoming*

CERTIFICATE OF SERVICE

I hereby certify that on October 16, 2025, I filed this Motion and its supporting documents with the Clerk via CM/ECF, which will provide electronic notification to counsel of record.

/s/ Charles Andrew Perry