

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS

MOISES ANTONIO PARADA HERNANDEZ)
ANA PINEDA,)

Petitioners-Plaintiffs,)

v.)

JOSHUA JOHNSON, Acting Field)
Office Director, ERO Dallas;)

TODD LYONS, Acting Director, U.S.)
Immigrations and Customs Enforcement;)

SIRCE OWEN, Acting Director, Executive Office)
For Immigration Review;)

PAMELA BONDI, U.S. Attorney General;)

and KRISTI NOEM, U.S. Secretary of)
of Homeland Security,)

Respondents-Defendants.)

Case No. _____

EMERGENCY APPLICATION FOR A TEMPORARY RESTRAINING ORDER¹

¹ Petitioners' counsel attempted to confer with counsel for Respondents prior to filing by e-mailing the local U.S. Attorney's Office on October 6, 2026 and seeking their position. Petitioners' counsel received the response from AUSA Brian Stoltz that he would forward the documents to ICE to obtain their position but they undersigned did not receive a response prior to filing.

Today, Petitioner-Plaintiff Moises Antonio Parada Hernandez (“Petitioner” or “Parada-Hernandez” herein), who has no criminal history, was deprived of his lawful, personal liberty by DHS’ agents at the Dallas, Texas ICE-ERO Office at 8101 N. Stemmons Freeway, Dallas, Texas 75242, when he punctually presented himself of a “check-in” on his existing custody order under 8 U.S.C. Sec. 1226. He has just now been lawlessly deprived of his physical liberty, causing irreparable harm, including his removal as the caring parent of a ten-year-old child with cerebral palsy. Efforts of the undersigned counsel and her associate to discuss the wisdom of DHS’ arrest of Parada-Hernandez were unheeded. Further, Petitioner-Plaintiff requests 30-day notice of any intent to remove him out of this District.

Pursuant to Rule 65 of the Federal Rules of Civil Procedure and the All Writs Act, Petitioner hereby applies for a temporary restraining order against Respondent-Defendants (“Respondents”).

As set forth in the accompanying Memorandum of Law, Respondents’ application of the Board of Immigration Appeal’s *Hurtado* decision patently violates Petitioners’ constitutional and statutory rights to liberty and due process. It violates 30 years of settled law and practice, as several U.S. District Courts have held very recently. See the appended Memorandum of Law.

In the absence of a temporary restraining order, Petitioner will suffer irreparable injury—the unjustified and indefinite deprivation of liberty, depriving him of his lawful and gainful employment, the right to the company and support of his immediate family, including the daily care of his ten-year-old child with cerebral palsy. All four injunctive criteria are in his favor and against your Respondents. He is likely to prevail for the reasons stated by other U.S. District Courts that have recently ruled Respondents’ actions to be unlawful; the loss of liberty is

the *sine qua non* of irreparable harm; the balance of equities lies in his favor, as he has been uniformly *compliant* for years with his ICE Order of Supervision; and injunctive relief is in the public interest, for the reasons stated in the cited U.S. District Court opinions and because the law compels Respondents to make individualized determinations on an alien's detention status, not just "arrest everyone" because it suits their administrative convenience.

In support of this Motion, Petitioner relies upon the accompanying Memorandum in Support of a Temporary Restraining Order Declaration of Sondra Turin and Evidence in Support of TRO. A proposed order is attached for the Court's convenience. Petitioner respectfully requests that this Court grant this emergency application and issue a temporary restraining order as soon as possible.

Date: October 7, 2025

Respectfully Submitted,

/s/ Sondra Turin
TX State Bar No.: 00797755

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Attorney for Petitioners-Plaintiffs

CERTIFICATE OF SERVICE

I certify that on October 7, 2025, a true and correct copy of the foregoing document was electronically filed via the Court's CM/ECF system which sends notice of electronic filing to all counsel of record.

/s/ Sondra Turin

Sondra Turin

Texas Bar No. 00797755

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