UNITED STATES DISTRICT COURT
FOR THE
EASTERN DISTRICT OF NEW YORK

JHON KEVIN SARMIENTO GUERRERO,

Petitioner-Plaintiff,

v.

KRISTI NOEM, in her official capacity as Secretary of the U.S. Department of Homeland Security;

TODD LYONS, in his official capacity as Acting Director of U.S. Immigration and Customs Enforcement;

JUDITH ALMODOVAR, in her official capacity as Acting Field Office Director of the New York Office of U.S. Immigration and Customs Enforcement;

PAMELA BONDI, in her official capacity as U.S. Attorney General;

RAUL MALDONADO, Jr., in his official capacity as Warden of the Metropolitan Detention Center;

Defendant-Respondents

Civil Action No. _____

ORAL ARGUMENT REQUESTED

EXPEDITED HEARING REQUESTED

MOTION FOR A TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION

Petitioner-Plaintiff Jhon Kevin Sarmiento Guerrero ("Mr. Sarmiento Guerrero" or "Petitioner") respectfully moves the Court for the entry of a temporary restraining order ("TRO") and preliminary injunction ordering his release, and restraining Respondents from detaining Mr. Sarmiento Guerrero pending the Court's final adjudication of his Petition. *See* Fed. R. Civ. P. 65. As detailed in the accompanying Memorandum of Law, all four relevant factors weigh heavily in favor of injunctive relief. Accordingly, Mr. Sarmiento Guerrero asks the Court to enter the accompanying Proposed Temporary Restraining Order, and order Respondents to promptly show cause why a preliminary injunction should not issue.

Date: October 21st, 2025

Respectfully submitted,

AKIN GUMP STRAUSS HAUER & FELD LLP

By: */s/ Joseph L. Sorkin*

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