

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NEW YORK**

Felix Tracy LORRY,
Petitioner,

v.

JOSEPH FREDEN,
in his official capacity as Field
Office Director, Buffalo Field
Office, U.S. Immigration &
Customs Enforcement;

STEVEN KURZDORFER,
In his official capacity as Acting
Field Office Director, Buffalo Field
Office, U.S. Immigration & Customs
Enforcement;

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

KRISTI NOEM,
In her official capacity as Secretary
of Homeland Security,

Respondent.

Civil Action No. 25-cv-1154

Immigration No. 

**EMERGENCY MOTION FOR A
TEMPORARY RESTRAINING
ORDER**

Oral Argument Requested

EMERGENCY MOTION FOR A TEMPORARY RESTRAINING ORDER

Mr. Felix Tracy Lorry ("Mr. Lorry") is a Guyanese Citizen who entered the United States on May 6, 2015 as a nonimmigrant B1/B2 visa holder. He is being held at the Buffalo Federal Detention Facility since on or about October 17, 2025 and was denied bond by the Immigration Judge on November 6, 2015 in a bond hearing where the burden of proof was placed upon him, in violation of his due process rights, to show that he is neither a flight risk nor a danger to the community. He is the father of two U.S. Citizen children, 8 years old and 2 years old, and has

been in the U.S. for more than 10 years, making him *prima facie* eligible for cancellation of removal as a form of relief from removal. The Immigration Judge, Mary C. Baumgarten, violated the law by denying bond despite Mr. Lorry's strong family, business, and community ties to the United States.

Counsel has been notified that today, ICE plans to move Mr. Lorry from the Buffalo Federal Detention Facility. If Mr. Lorry is moved, he will not have access to local counsel and will be placed in a position where he will not be able to meaningfully assist counsel with the preparation of his defense. This emergency motion for a temporary restraining order seeks to prevent irreparable harm that would be caused by his movement outside of this judicial district, to a remote facility where access to counsel is difficult or impossible.

Therefore, Mr. Lorry asks this court to without delay issue a temporary restraining order to prevent his imminent movement outside of the district until such time as the Court may decide the matters on the merits. Counsel intends to file a separate motion in the near future for a TRO seeking an order that he be provided with a bond hearing where the burden is properly placed on the government.

Dated: November 7, 2025

/s/ Matthew K. Borowski

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