

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

ROLAND IVONIN,
Petitioner,

v.

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

TAMMY MARICH,
In her official capacity as 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-6673

Immigration No. 

**PETITIONER'S NOTICE OF
MOTION FOR AN *EX PARTE*
TEMPORARY RESTRAINING
ORDER AND AN EXPEDITED
HEARING AND
INCORPORATED
MEMORANDUM OF LAW**

Oral Argument Requested

**PETITIONER'S NOTICE OF MOTION FOR AN *EX PARTE* TEMPORARY
RESTRAINING ORDER AND AN EXPEDITED HEARING AND INCORPORATED
MEMORANDUM OF LAW**

PLEASE TAKE NOTICE that Petitioner through counsel, Matthew K. Borowski, Esq., hereby moves this Court for an order: (i) pursuant to Fed. R. Civ. P. 65 and Local Rule 7(d)(1), enjoining Respondents from moving Petitioner outside of the jurisdiction of this Court. Petitioner requests that this relief be granted *ex parte* as he is facing imminent movement by ICE to a distant location. This motion is supported by the accompanying Memorandum of Law.

PLEASE TAKE NOTICE THAT the motion will be heard at the United States Courthouse, 100 State Street, Rochester, New York 14614, at a date and time to be set by the Court.

PLEASE TAKE FURTHER NOTICE that defendant intends to serve and file reply papers and, therefore, any papers in opposition to this motion are due fourteen days after service of this motion, pursuant to Local Rule 7(b)(2)(B), unless otherwise ordered by the Court.

INCORPORATED MEMORANDUM OF LAW

1. Ms. Roland Ivonin ("Mr. Ivonin") is a citizen of Ukraine who is presently detained at the Buffalo Federal Detention Facility.
2. Undersigned counsel has been informed just now that ICE intends to move Mr. Ivonin to a remote facility in an unknown location.
3. Petitioner suffers irreparable harm should he be moved to a remote location where counsel cannot easily confer with him.
4. ICE has been moving detainees without notice to remote facilities with no notice, regardless of whether the noncitizen is represented by local counsel or has an upcoming hearing at the immigration court with jurisdiction over the facility wherein he is detained. If Petitioner 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 an *ex parte* 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.

5. Therefore, Petitioner asks this court to without delay issue a temporary restraining order to prevent Petitioner from being moved outside the jurisdiction until such time as the Court may decide the matters on the merits.

Dated: November 20, 2025

/s/ Matthew K. Borowski

Matthew K. Borowski
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Tel: 716-330-1503

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