

UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT

M.S., a Minor by his Next Friend, C.S.  
*Petitioner,*

v.

ANGIE SALAZAR, ET AL.  
*Respondents.*

CIVIL NO. 3:25-cv-2170-(VDO)

DECEMBER 31, 2025

**PETITIONER'S MOTION FOR A TEMPORARY RESTRAINING ORDER (TRO) AND FOR A  
PRELIMINARY INJUNCTION**

Pursuant to Fed. R. Civ. P. Rules 65(a) and 65(b), Petitioner moves for a Temporary Restraining Order and a Preliminary Injunction directing the Respondents to release from their custody forthwith Petitioner, M.S. (age 13) and to place him in the custody of his stepmother, and Next Friend, C.S. The true name of the Petitioner and his A# were provided to AUSA McConaghy, on December 30, 2025, by email, at approximately 7:32 A.M, together with a copy of his NTA attached to the email.

As detailed in the accompanying memorandum and in Petitioner's Complaint for Injunctive and Declaratory Relief and Petition for Writ of Habeas Corpus (Dkt. No. 1), Respondents have unlawfully detained Petitioner for over 450 days, keeping him separated from his nuclear family, including his father, stepmother, two older sisters and younger brother, and failing to place him in the least restrictive setting as required by the mandates of the *Flores* Settlement Agreement, the TVPRA, 8 U.S.C. § 1232(c)(2)(A), and the binding regulations. ("ORR *shall release* a child from its custody without unnecessary delay.") 45 C.F.R. § 410.1201 (emphasis added).

Respondents have unnecessarily delayed the sponsorship process and arbitrarily and capriciously denied Petitioner's proposed sponsor, Next Friend, C.S., despite her completing all ORR requests and

being capable of providing for Petitioner's physical and emotional well-being. See *Angelica S. v. HHS*, 1:25-cv-01405-DLF, (D.D.C. 2025) (Memorandum Opinion concluding that it was substantially likely that ORR acted arbitrarily and capriciously by not providing adequate justification for its new sponsor documentation requirements and enjoining ORR from enforcing them on certified class.)

Respondents have continued to detain Petitioner through the date of this filing, and there is currently no prospect for Petitioner's release. Petitioner understands that if he is not allowed to reunify with his stepmother, father and the rest of my family, he will have to stay in this long-term foster care program until he turns 18 years old or go back to Haiti, where he would be an unaccompanied thirteen-year-old boy and his life is in immediate danger. See Declaration of Petitioner.

Petitioner's indefinite lengthy detention and Respondents' ongoing violations of Petitioner's constitutional and statutory rights constitute immediate and irreparable harm. Further, each day Petitioner remains in Respondents' custody, he continues to suffer profound psychological and emotional damage.

WHEREFORE, the Petitioner respectfully requests that the Court issue a preliminary injunction ordering Respondents to release Petitioner from their custody forthwith and to place him into the custody of his Next Friend, C.S.

Respectfully submitted,

**PETITIONER**

**M.S., a minor by his Next friend, C.S.**

By: Steven R. Strom

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**CERTIFICATE OF SERVICE**

I, Steven R. Strom, counsel of record for the Petitioner, do hereby certify that on this 31st day of December, 2025, a copy of the foregoing Motion for Temporary Restraining Order and for a Preliminary Injunction was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

A copy of the foregoing for a was also emailed to the following:

Michelle L. McConaghy, ct27157  
Assistant United States Attorney  
United States Attorney's Office  
District of Connecticut  
157 Church Street, 24th Floor  
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Email: michelle.mcconaghy@usdoj.gov

/s/ Steven R. Strom  
Steven R. Strom  
Attorney for Petitioner