**UNITED STATES DISTRICT COURT**
**FOR THE EASTERN DISTRICT OF NEW YORK**

HECTOR NERI PLIEGO,

Petitioner,

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;

KENNETH GENALO, in his official capacity as Field Office Director of Enforcement and Removal Operations of the New York Office of U.S. Immigration and Customs Enforcement;

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

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

Respondents.

Civil Action No. _____

**ORAL ARGUMENT REQUESTED**

**EXPEDITED HEARING REQUESTED**

**MOTION FOR A TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

Petitioner-Plaintiff Hector Neri Pliego ("Mr. Neri Pliego" 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. Neri Pliego 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. Neri Pliego 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: February 9, 2026

Respectfully submitted,

**AKIN GUMP STRAUSS HAUER & FELD LLP**

By: */s/ Anne M. Evans*

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