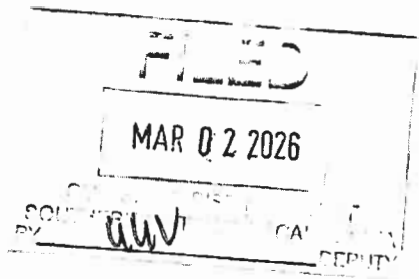


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA



Kevin David Paniagua-Padilla

Petitioner,

V.

INJUNCTIVE RELIEF
TEMPORARY RESTRAINING ORDER

Pamela Bondi, U.S. Attorney General,
Kristi Noem, Secretary of DHS,
Todd Lyons, Director of ICE,
Christopher LaRose warden of Otay Mesa Detention Center

'26CV1332 JO VET

Respondent's

MOTION FOR TEMPORARY RESTRAINING ORDER,
AND
INJUNCTIVE RELIEF

TEMPORARY RESTRAINING ORDER

Petitioner-Plaintiff Kevin David Paniagua-Padilla moves this court *ex parte* for a Temporary Restraining Order that would, among other things, require his immediate release from his ongoing detention by agents of Immigration and Customs Enforcement (ICE) and prohibit his re-arrest without pre-detention hearing before an "IJ" Immigration judge at which ICE establishes by clear and convincing evidence that his detention is necessary to prevent hi FlightRisk or Protect the Public.

Background:

The evidence before this Court establishes that Kevin David Paniagua-Padilla is a 24- year-old from Guatemala who came into the United States on 12-01-2022 out of fear from the Terrorist Organizations which operate in his Country [REDACTED] Petitioner came to the United States at a young age and once he got here he had to work to help his family have food on the table. Petitioner is seeking Asylum and so is his family. Petitioner has Zero criminal history here and any were else in the World. Petitioner has a pending U-Visa with USCIS because [REDACTED] Petitioner request that this Court grant the Temporary Restraining Order so Respondent's cannot transfer Petitioner out of the Jurisdiction of the Court or from the Otay Mesa Detention Center until the Habeas Corpus is adjudicated. My health has worsen because I have developed Depression, Anxiety, and Major Stress Disorder because of the prolonged period of detention I have spent in custody and not being able to be by the side of my only son which is (ONE) year old and his sister who is 8 years old and his brother who is 15 years old and his Mom who has obtained a Work Permit to work in the Country legally while awaiting for the Lawful Permanent Residence Card. I have not

received any incident reports for misbehavior since I have been detained here at Otay Mesa Detention Center and have remained in good behavior while in ICE custody. I am requesting for this Temporary Restraining Order to be put in place so ICE won't be able to transfer me or deport me before this Habeas Corpus is adjudicated.

CITING CASES LAW: *Jose Anotonio Ambrocio Garcia Case No. 25-cv-03319-BAS-DEB (2025). cARMEN aRACELY pABLO sEQUEN Case No. 25-cv-06487-PCP, and F.T.C v. Dean Foods and many other cases that are being gathered.*

Date: 2-23-2026

Kevin David Paniagua-Padilla



Otay Mesa Detention Center

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San Diego, CA 92143

