IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

SAYFI RAKHMONOV, *Petitioner*, v. JAMAL L. JAMISON, *et al.*, *Respondents*.	**PETITION FOR WRIT OF HABEAS CORPUS** **Case No. 26-2423**

MOTION FOR TEMPORARY RESTRAINING ORDER AND ORDER TO SHOW CAUSE

Immigration Habeas Case

INTRODUCTION

Petitioner, by and through undersigned counsel, respectfully moves this Court pursuant to Fed. R. Civ. P. 65(b), 28 U.S.C. § 2241, and Local Civil Rule 65.1 for a Temporary Restraining Order ("TRO") to prevent imminent and irreparable harm arising from Petitioner's unlawful detention and/or removal while the accompanying Petition for Writ of Habeas Corpus is pending.

FACTUAL BACKGROUND

1. Petitioner is a citizen and a national of Uzbekistan, currently detained at the Philadelphia Federal Detention Center located at 700 Arch Street, within the jurisdiction of this Court.

2. Petitioner arrived in the United States on July 5, 2023, at the San Ysidro Port of Entry, at which time he sought admission into this country. On July 6, 2023, he was released into the United States under his own recognizance pursuant to Section 236 of the Immigration and Nationality Act ("INA"), 8 U.S.C. § 1226.

3. On February 23, 2024, the Petitioner filed a timely application for asylum and related relief, based on the persecution he suffered in his native Uzbekistan. His asylum application remains pending and therefore he is in the United States pursuant to a period of stay authorized by the government.

4. The Respondent previously was issued a Notice to Appear ("NTA") before an immigration judge, charging him as an alien present in the United States being admitted or

paroled, or who arrived in the United States at any time or place other than as designated. See INA Section 212(a)(6)(A)(i) [8 U.S.C. § 1182(a)(6)(A)(i)].

5. ICE has apprehended the Petitioner and has been detaining him without the possibility of requesting bond despite the existence of all of the foregoing equities in favor of the Petitioner.

6. Continued detention, or transfer outside of the Eastern District of Pennsylvania before adjudication of the habeas petition will cause irreparable harm, including separation from family, loss of legal rights, and potential persecution.

LEGAL STANDARD

Under Fed. R. Civ. P. 65(b) and E.D. Pa, Local Civil Rule 65.1, a Temporary Restraining Order may issue without notice to the adverse party if specific facts in an affidavit or verified complaint clearly show that immediate and irreparable injury will result before the adverse party can be heard.

The Third Circuit applies the four-factor test:

(1) likelihood of success on the merits.

(2) irreparable harm absent relief.

(3) balance of equities; and

(4) public interest. *See Kos Pharm., Inc. v. Andrx Corp.*, 369 F.3d 700 (3d Cir. 2004).

ARGUMENT

1. Likelihood of Success - Petitioner's detention/removal violates statutory and constitutional protections, including due process under the Fifth. and the Fourteenth amendments.

2. Irreparable Harm - Continued detention or transfer before judicial review would permanently deprive the Petitioner of the ability to pursue lawful relief.

3. Balance of Equities - The harm to Petitioner outweighs any administrative burden on the Respondents.

4. Public Interest - Upholding constitutional rights and ensuring lawful process serves the public interest.

REQUEST FOR RELIEF

Petitioner respectfully requests that this Court:

1. Issue a Temporary Restraining Order enjoining Respondents from moving him outside the Eastern District of Pennsylvania;

2. Issue a Temporary Restraining Order enjoining Respondents from detaining Petitioner under 8 U.S.C. § 1225(b)(2);

3. Ordering Petitioner's immediate release from Respondents' custody; and

4. Grant such other relief as the Court deems just and proper.

PROPOSED ORDER

AND NOW, this __ day of _____, 2026, upon consideration of Petitioner's Emergency Motion for Temporary Restraining Order, it is hereby ORDERED that:

1. Respondents, and all persons acting on their behalf, are temporarily restrained from moving him outside the Eastern District of Pennsylvania,

2. Are temporarily restrained from detaining Petitioner under 8 U.S.C. § 1225(b)(2);

3. Shall immediately release the Petitioner from their custody;

4. Respondents shall appear before this Court on the __ day of _____, 2025, at ___:___, to show cause why a preliminary injunction should not issue; and

5. This Order shall remain in effect until further order of the Court.

Respectfully submitted,

Date: April 20, 2026

/s/ Francois-Ihor Mazur
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