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**UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF FLORIDA
 MIAMI DIVISION**

LIAT MESUDI AVITAL

Petitioner,

v.

WARDEN, Broward Transitional Center;
GARRETT J. RIPA, Director of
 Miami Field Office, U.S. Immigration
 and Customs Enforcement;
TODD LYONS, Acting Director of
 U.S. Immigration and Customs
 Enforcement, In his official capacity;
MARKWAYNE MULLIN
 Secretary of the U.S. Department of
 Homeland Security; and **TODD BLANCHE**,
 Attorney General of the United States,
 in their official capacities,

Respondents.

Case No. 1:26-cv-22685

**PETITION FOR WRIT OF
 HABEAS CORPUS**

**ORAL ARGUMENT
 REQUESTED**

**PETITIONER'S APPLICATION FOR EX PARTE
 TEMPORARY RESTRAINING ORDER**

Petitioner Liat Mesudi Avital, by and through undersigned counsel, respectfully applies for an Ex Parte Temporary Restraining Order pursuant to Federal Rule of Civil Procedure 65(b) and Southern District of Florida Local Rule 7.1(a)(2). In support of this Application, Petitioner relies

on the accompanying Emergency Petition for Writ of Habeas Corpus, Memorandum of Law in Support, Declaration of Counsel, and Proposed Order.

Background

1. Petitioner is a citizen of Israel who was lawfully admitted to the United States on a tourist visa. She is an approved VAWA self-petitioner with a prima facie determination (Receipt No.

 that has automatically extended because USCIS has not yet adjudicated her I-360 petition. She has a pending adjustment of status application (Receipt No. 

USCIS confirmed her continuing status by approving her employment authorization under category (c)(9), based on her pending adjustment of status in connection with her VAWA-based relief, valid through March 21, 2030.

2. On or about April 10, 2026, agents of U.S. Immigration and Customs Enforcement ("ICE") arrested Petitioner while she was on a recreational boat with her family in Miami, Florida. She was transported to the Broward Transitional Center in Pompano Beach, Florida, where she remains detained.

3. As of the date of this filing, more than seven days have elapsed since Petitioner's arrest. Although an NTA was served on Petitioner on or about April 14, 2026, upon information and belief, it has not been filed with the Immigration Court. No removal proceedings have been initiated. No custody hearing or bond determination has been conducted. No immigration judge has reviewed the basis for her detention. Petitioner has no criminal history.

4. Petitioner is a protected individual under the Violence Against Women Act. Pursuant to 8 U.S.C. § 1367, her information is subject to strict confidentiality protections. To the extent the Government relied on information furnished by or derived from Petitioner's abuser in initiating

enforcement action, such reliance would violate § 1367. Petitioner reserves the right to develop this claim through discovery.

Grounds for Ex Parte Relief

5. Petitioner faces the imminent risk of irreparable harm that cannot await an adversarial hearing. Specifically:

a. Transfer. Based upon counsel's experience as a former United States Immigration Judge and immigration litigator, the Government routinely transfers immigration detainees to remote facilities in other circuits on extremely short notice, often within 24 to 48 hours of arrest. Such a transfer would deprive this Court of jurisdiction and render the relief sought moot.

b. Coerced Waiver. Petitioner faces the danger of being coerced into signing a voluntary departure agreement, withdrawing her pending VAWA and adjustment applications, or waiving legal rights without the presence of counsel. As a domestic violence survivor with approved VAWA protections, any such waiver would cause severe and irreversible harm.

c. Loss of Access to Counsel. Transfer from the Southern District of Florida would separate Petitioner from counsel, her family, and the courts adjudicating her case, effectively denying her the meaningful opportunity to challenge her detention.

Certification Under Federal Rule of Civil Procedure 65(b)

6. Undersigned counsel certifies that the following efforts have been made to give notice, and the following reasons support why notice should not be required:

a. Counsel will serve all parties electronically contemporaneously with the filing of this Application and Declaration.

b. However, requiring advance notice before the Court acts would give the Government the opportunity to transfer Petitioner before this Court can exercise jurisdiction, thereby rendering

the relief sought moot. The risk that advance notice would precipitate the very harm the TRO seeks to prevent is real and immediate.

c. Good cause exists to issue the TRO ex parte. See Fed. R. Civ. P. 65(b)(1)(A)–(B); S.D. Fla. L.R. 7.1(a)(2).

Relief Requested

7. Petitioner respectfully requests that this Court enter a Temporary Restraining Order:

a. Enjoining Respondents from removing Petitioner from the United States pending further order of this Court;

b. Enjoining Respondents from transferring Petitioner from the Southern District of Florida;

c. Directing Respondents to permit Petitioner to meet and confer with counsel and to have counsel present during any questioning or interviews;

d. Enjoining Respondents from presenting to Petitioner, or accepting from Petitioner, any voluntary departure agreement, withdrawal of her pending VAWA application (Receipt No. LIN2505550328), adjustment application (Receipt No. LIN2505550336), or any voluntary relinquishment of legal status, absent the presence of counsel;

e. Directing Respondents to show cause within three (3) days of entry of this Order why a writ of habeas corpus should not issue pursuant to 28 U.S.C. § 2243; and

f. Granting such other and further relief as this Court deems just and proper.

Respectfully submitted,

/s/ Raisa Cohen

RAISA COHEN, Esq.

(Pro Hac Vice forthcoming)

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