

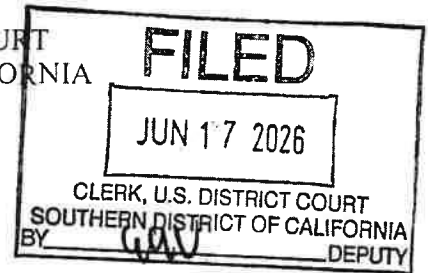
IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

HENRY ISMAEL LOPEZ PASCUAL,


Petitioner,

v.

Case No. '26CV3593 JO JAC



WARDEN, Imperial Regional Detention
Facility; FIELD OFFICE DIRECTOR, ICE
ERO San Diego; DAVID VENTURELLA,
Acting Director, ICE; MARKWAYNE
MULLIN, Secretary of Homeland Security;
TODD BLANCHE, Acting Attorney General,

Respondents.

**EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER
AND STAY OF REMOVAL**

Petitioner Henry Ismael Lopez Pascual, appearing pro se, respectfully moves this Court for a temporary restraining order and a stay of removal to preserve the Court's jurisdiction over the accompanying Petition for Writ of Habeas Corpus and to prevent his removal or transfer outside this district before the Court can adjudicate his claims. In support, Petitioner states:

1. Petitioner is detained at the Imperial Regional Detention Facility in Calexico, California, and challenges his continued detention without an individualized bond hearing in the accompanying Petition.
2. A temporary restraining order is warranted where the movant shows (a) a likelihood of success on the merits, (b) a likelihood of irreparable harm absent relief, (c) that the balance of equities favors relief, and (d) that relief serves the public interest.

3. Likelihood of success. Petitioner entered the United States without inspection and has resided in the interior for approximately three years. His detention is therefore governed by 8 U.S.C. § 1226(a), which permits release on bond. The continued denial of an individualized bond hearing violates both the statute and the Fifth Amendment's Due Process Clause.

4. Irreparable harm. Without a stay, Petitioner faces the risk of removal or transfer to another jurisdiction, which would deprive this Court of jurisdiction over his Petition and cause irreparable injury that no later remedy could cure. Continued unlawful detention is itself an irreparable deprivation of liberty.

5. Balance of equities and public interest. The Government has no legitimate interest in detaining or removing an individual without the process the law requires. The public interest favors ensuring that detention complies with the Constitution and governing statutes.

WHEREFORE, Petitioner respectfully requests that this Court:

- a. Enter a temporary restraining order and stay barring Respondents from removing Petitioner from the United States or transferring him outside this judicial district pending resolution of the Petition;
- b. Order such further relief as is just and proper.

Dated: June 13, 2026

Respectfully submitted,

X 

Henry Ismael Lopez Pascual
Petitioner, Pro Se


Imperial Regional Detention Facility
1572 Gateway Road
Calexico, CA 92231

CERTIFICATE OF SERVICE

I certify that on June 13, 2026, I served a true and correct copy of the foregoing Emergency Motion for Temporary Restraining Order and Stay of Removal and Declaration by placing it in the U.S.

Mail, first-class postage prepaid, addressed to the following:

Civil Process Clerk
United States Attorney's Office
Southern District of California
880 Front Street, Room 6293
San Diego, CA 92101

Warden
Imperial Regional Detention Facility
1572 Gateway Road
Calexico, CA 92231

Field Office Director
ICE Enforcement and Removal Operations
San Diego Field Office
880 Front Street, Suite 2242
San Diego, CA 92101

David Venturella, Acting Director
U.S. Immigration and Customs Enforcement
500 12th Street, SW
Washington, DC 20536

Markwayne Mullin, Secretary
U.S. Department of Homeland Security
2707 Martin Luther King Jr. Ave., SE
Washington, DC 20528

Todd Blanche, Acting Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

X 
Henry Ismael Lopez Pascual
Petitioner, Pro Se