

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

D.V.D.; M.M.; E.F.D.; and O.C.G.,

Plaintiffs,

v.

U.S. DEPARTMENT OF HOMELAND SECURITY;
Kristi NOEM, Secretary, U.S. Department of
Homeland Security, in her official capacity; Pamela
BONDI, U.S. Attorney General, in her official
capacity; and Antone MONIZ, Superintendent,
Plymouth County Correctional Facility, in his official
capacity,

Defendants.

Case No. 25-cv-10676

**PLAINTIFFS' EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER
AND PRELIMINARY INJUNCTION AND STAY OF ADMINISTRATIVE ACTION**

Plaintiffs respectfully request that the Court grant their Emergency Motion for a Temporary Restraining Order and Preliminary Injunctive Relief. The grounds for this motion are set forth in the accompanying memorandum of law, exhibits in support thereof, the Complaint, the concurrently filed motion for class certification, and the applicable law. A proposed order also accompanies this motion.

This motion is being filed on Sunday, March 23, 2025. The following dates are critical to the timing of adjudication of this motion. Plaintiff E.L.P. is currently in immigration custody in Plymouth, Massachusetts and is at imminent risk of deportation to a third country. Plaintiff O.S.G. already has been deported and he is in hiding in Guatemala, he seeks an order to facilitate his return as expeditiously as possible. Plaintiff D.V.D. is required to check-in at the office of U.S. Immigration and Customs Enforcement (ICE) in Burlington, Massachusetts on

March 28, 2025 and is at imminent risk of re-detention and deportation to a third country at that time. Plaintiff M.M. is required to check-in at the ICE office in Dallas, Texas on April 4, 2025 and is at imminent risk of re-detention and deportation to a third country at that time.

REQUEST FOR ORAL ARGUMENT

Pursuant to Local Rule 7.1(d), Plaintiffs believe that oral argument may assist the Court.

Respectfully submitted,

s/Tomás Arango

Tomas Arango
Trina Realmuto*
Kristin Macleod-Ball*
Mary Kenney*
**NATIONAL IMMIGRATION
LITIGATION ALLIANCE**
10 Griggs Terrace
Brookline, MA, 02446
(617) 819-4649
trina@immigrationlitigation.org

Matt Adams*
Leila Kang*
Aaron Korthuis*
Glenda M. Aldana Madrid*
**NORTHWEST IMMIGRANT
RIGHTS PROJECT**
615 Second Avenue, Suite 400
Seattle, WA 98104
(206) 957-8611
matt@nwirp.org

Anwen Hughes*
HUMAN RIGHTS FIRST
75 Broad Street, 31st Floor
New York, NY 10004
(212) 845-5244
HughesA@humanrightsfirst.org

Attorneys for Plaintiffs

** Application for admission pro hac vice forthcoming*

Dated: March 23, 2025

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(a)(2)

I certify that, in accordance with Local Rule 7.1(a)(2), I emailed Rayford Farquhar, Deputy Chief, Civil Division and Chief, Defensive Litigation for the Civil Division of the United States Attorneys' Office for the District of Massachusetts on March 21, 2025 to advise him of the forthcoming litigation, including the instant motion for a temporary restraining order and preliminary injunctive relief seeking to enjoin third country removals unless the person receives written notice of the third country and opportunity to present their fear-based claim, and to stay the re-detention directive. I further stated that I would email him, or whomever he wished to designate, copies of Plaintiffs' filings after they were docketed, and that Plaintiffs would arrange for personal service on his office on Monday morning, March 24, 2025.

This communication was an attempt to resolve the issues raised in this motion. Mr. Farquhar has not yet responded to my email at the time of this filing and, therefore, the parties were unable to reach a resolution.

s/ Trina Realmuto
Trina Realmuto