

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO**

**Gladys Maria Tejada Liriano**  
IN REPRESENTATION OF Ernesto Cruz  
Tejada  
**Petitioners,**

v.

**Civil No. 3:26-cv-\_\_\_\_\_**

**REBECCA GONZÁLEZ RAMOS**, Special Agent in Charge of Homeland Security Investigations in San Juan, **GARRET J. RIPA** is Miami Field Office Director for U.S. Immigration and Customs Enforcement, overseen Puerto Rico’s Immigration and Removal Operations, ICE Office in GSA Guaynabo Detention Facility; **TODD LYONS** in his official capacity, Acting Director for U.S. Immigration and Customs Enforcement; **KRISTI NOEM**, Secretary of Homeland Security; **PAMELA BONDI**, United States Attorney General; **W. STEPHEN MULDROW**, US District Attorney for the District of Puerto Rico; **ROBERTO VAQUERO** Director of Field Operations Customs and Border Protection; *all in their official capacities*

PETITION FOR A WRIT OF  
*HABEAS CORPUS*

**Respondents.**

**EMERGENCY MOTION FOR  
TEMPORARY RESTRAINING ORDER**

**I. INTRODUCTION**

Petitioner Ernesto Cruz Tejada respectfully moves this Honorable Court for an Emergency Temporary Restraining Order (“TRO”) to preserve the status quo pending resolution of his Petition for Writ of Habeas Corpus.

Petitioner is currently detained by U.S. Immigration and Customs Enforcement (“ICE”) in Puerto Rico following his arrest on March 6, 2026. He is a noncitizen and the sole caregiver of his LPR mother with an approved Form I-130 filed by the later and pending processing at the National

Visa Center evidencing his ongoing efforts to regularize his immigration status in accordance with the Immigration and Nationality Act (“INA”) and corresponding federal regulations.

Absent immediate judicial intervention, Petitioner faces imminent transfer outside the District of Puerto Rico. Such a transfer would cause irreparable harm by severely interfering with his right to counsel, fracturing family unity at a critical moment, and undermining this Court’s ability to meaningfully adjudicate the pending habeas petition.

## **II. APPLICABLE LAW**

The standard for issuing a temporary restraining order is identical to that for a preliminary injunction. A plaintiff seeking such relief must establish that he is likely to succeed on the merits; that [they are] likely to suffer irreparable harm in the absence of preliminary relief; that the balance of equities tips in [their] favor; and that the requested relief is in the public interest. *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008).

## **III. ARGUMENT**

### **A. Likelihood of Success on the Merits**

As set forth in the Petition for Writ of Habeas Corpus, Petitioner is not subject to mandatory detention under the Immigration and Nationality Act. He is not an aggravated felon, poses no danger to the community, and is entitled to an individualized custody determination. His continued detention, following voluntary compliance with local authorities and despite significant equities, raises serious constitutional concerns under the Due Process Clause of the Fifth Amendment.

### **B. Irreparable Harm Absent a TRO**

Petitioner will suffer immediate and irreparable harm if transferred outside the District of Puerto Rico. The loss of meaningful access to retained counsel in Puerto Rico, combined with the geographic realities of the island, would substantially impair his ability to pursue his habeas petition and bond relief.

Additionally, Petitioner's continued detention and potential transfer inflict severe and irreparable harm on his LPR mother for whom he is the sole caregiver. Constitutional injuries, loss of family integrity, and interference with access to counsel cannot be remedied by monetary damages.

### **C. Balance of Equities and Public Interest**

The balance of equities strongly favors Petitioner. The requested TRO merely preserves the status quo and prevents Respondents from transferring Petitioner pending judicial review. In contrast, denial of relief would result in substantial and irreparable harm to Petitioner and his family.

The public interest is served by ensuring compliance with constitutional protections, safeguarding access to the courts, and preserving the judiciary's ability to review executive detention decisions.

## **IV. REQUEST FOR RELIEF**

WHEREFORE, Petitioner respectfully requests that this Court:

1. Grant this Emergency Motion for Temporary Restraining Order;

2. Enjoin Respondents, their officers, agents, and employees from transferring or relocating Petitioner outside the District of Puerto Rico pending resolution of the Petition for Writ of Habeas Corpus;
3. Order Respondents to provide Petitioner with immediate and meaningful access to counsel;
4. Order Respondents to show cause, on an expedited basis, why this relief should not remain in effect pending further proceedings;
5. Waive any bond requirement pursuant to Federal Rule of Civil Procedure 65(c); and
6. Grant such other and further relief as the Court deems just and proper.

Respectfully submitted,

s/ Fermín L. Arraiza-Navas  
#215705 (US District Court Puerto Rico)

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Dated: March 9, 2026

CERTIFICATE OF SERVICE: I hereby certify that, on March 9, 2026, I electronically filed the foregoing document with the United States District Court of Puerto Rico by using the CM/ECF system, which will send notifications of such filing to all CM/ECF counsel of record.

#### VERIFICATION OF COUNSEL

I, Fermin L. Arraiza Navas, hereby certify that I am familiar with the case of the named petitioner and that the facts as stated above are true and correct to the best of my knowledge and belief.

Dated this 9th day of March, 2026.

s/ Fermín L. Arraiza-Navas  
Attorney Name