

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
Greenbelt Division

_____)	
Kilmar Armando Abrego Garcia, <i>et al.</i> ,)	
)	
<i>Plaintiffs,</i>)	
)	Civil Action No. <u>8:25-cv-00951-AAQ</u>
v.)	
)	
Kristi Noem, <i>et al.</i> ,)	
)	
<i>Defendants.</i>)	
_____)	

EMERGENCY EX PARTE MOTION FOR TEMPORARY RESTRAINING ORDER

Plaintiff Kilmar Armando Abrego Garcia, by counsel, pursuant to Fed. R. Civ. P. 65(b)(1), hereby move this Court for an emergency *ex parte* temporary restraining order, restraining Defendants from continuing to financially support his further detention in El Salvador and ordering Defendants to request that the Government of El Salvador return him to their custody. In support of this motion, Plaintiffs respectfully represent as follows:

1. As set forth in the Complaint [Dkt. No. 1] and evidence attached thereto, Plaintiff Abrego Garcia has an order from an immigration judge prohibiting Defendants from removing him to El Salvador. Defendants could have sought to rescind that order and reopen removal proceedings, but they did not. Instead, Defendants removed Plaintiff Abrego Garcia to El Salvador, with no legal process or observance of required legal procedures whatsoever.

2. Not only was Plaintiff Abrego Garcia removed to El Salvador in direct violation of federal law, but to make matters worse, Defendants are paying the government of El Salvador a sum of money to incarcerate him in the infamous CECOT prison, where he is being subjected to torture and an imminent risk of death.

3. This action was filed on Monday, March 24, 2025, less than 48 hours after undersigned counsel was retained. This TRO request is filed the same day.

4. This Court admittedly has no jurisdiction over the Government of El Salvador and cannot force that sovereign nation to release Plaintiff Abrego Garcia from its prison. But—because that government is detaining Plaintiff at the direct request and pursuant to financial compensation from defendants—this Court can order Defendants to immediately stop paying such compensation, and to *request* that the Government of El Salvador return Plaintiff Abrego Garcia to their custody. That is all Plaintiff asks for this Court order as emergency relief. If those efforts are unsuccessful, the parties can brief any further remedial steps that may lie within this Court’s jurisdiction.

5. Plaintiffs are indigent and lack financial means to pay a TRO bond.

6. Undersigned counsel will email the complaint, as well as this TRO motion and the Proposed Order, to his contacts at the US Attorney’s Office in Greenbelt.

7. WHEREFORE, Plaintiffs, by counsel, respectfully request that this Court temporarily order Defendants to immediately stop paying compensation to the Government of El Salvador for the detention of Plaintiff Abrego Garcia, and to request that the Government of El Salvador return Plaintiff Abrego Garcia to their custody, for such time until a preliminary injunction motion can be briefed and decided by this Court.

Respectfully submitted,

//s// Simon Sandoval-Moshenberg
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