

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

A.S.R., individually and on behalf of all others
similarly situated,

Petitioner–Plaintiff,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, *et al.*,

Respondents–Defendants.

Case No. 3:25-cv-00113-SLH

**MOTION TO EXTEND TEMPORARY RESTRAINING ORDER AND SET
PRELIMINARY INJUNCTION BRIEFING OR, IN THE ALTERNATIVE, MOTION
FOR LEAVE TO FILE REPLY BRIEF ON TRO MOTION**

Petitioner-Plaintiff respectfully requests that this Court extend the Temporary Restraining Order (TRO) by an additional 14 days and set an expedited briefing schedule for the preliminary injunction, or, in the alternative, Petitioner-Plaintiff seeks leave to file a Reply Brief in support of his TRO Motion, and as grounds therefor avers as follows.

This case raises issues and claims that are virtually identical to several other class habeas corpus petitions pending in district courts around the country challenging the application of the Alien Enemies Act. *See, e.g., D.B.U. v. Trump*, No. 1:25-cv-01163 (D. Colo. 2025); *J.A.V. v. Trump*, No. 25-cv-72 (S.D. Tex. 2025); *G.F.F. v. Trump*, No. 25-cv-2886 (S.D.N.Y. 2025). The factual landscape on which these cases rests is evolving rapidly. As submitted to the Court yesterday, the U.S government filed a declaration revealing details regarding Respondents’ notice process for individuals like A.S.R. who are accused of Tren de Aragua affiliation, including only providing 12 hours’ notice in an all-English form ahead of the scheduled removal and 24 hours to file a habeas petition. *See* ECF No. 40 (Notice of Cisneros Declaration); ECF No. 40-1 (Cisneros Declaration

and AEA-21B Notice Form). These developments underscore how necessary it is to keep the TRO in place for Petitioner and the putative class. In addition to resolving the claims related to whether Respondent's invocation of the AEA under the current circumstances is legal, this Court also must address the lawfulness of the procedural due process accorded A.S.R. and similarly situated members of the putative class. Petitioner respectfully submits that the most efficient course of action is to extend the TRO by 14 days during which time parties will brief Petitioner's motion for a preliminary injunction on an expedited basis. Briefs from the parties addressing the shifting factual landscape will aid the Court's decisionmaking.

This Court's current TRO expires on April 29, but as the Court has noted Federal Rule of Civil Procedure 65 allows one more 14-day extension. ECF No. 30. Petitioner asks that the Court now extend the first TRO by an additional 14 days, and set an expedited briefing schedule for the preliminary injunction. Petitioner is prepared to submit a motion for preliminary injunction as soon as April 30 and propose that Respondents file their opposition by May 5, and Petitioner file a reply by May 7, which would provide sufficient time to schedule oral argument, if necessary, prior to the expiration of the TRO. Alternatively, Petitioner would ask the Court for leave to file a reply brief, in opposition to the Respondents' brief, ECF No. 26, on or before April 28.

WHEREFORE, Petitioner-Plaintiff respectfully requests that this Court either 1) extend the TRO and set a briefing schedule for the preliminary injunction motion; or 2) grant Petitioner leave to file a Reply Brief in support of his Motion for a Temporary Restraining Order on or before April 28.

Dated: April 25, 2025

Respectfully submitted,

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**Pro hac vice applications forthcoming*

***Admitted pro hac vice*