

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

M.A.P.S., on her own behalf and on behalf of
others similarly situated,

Petitioner–Plaintiff,

v.

ANGEL GARITE, in his official capacity as
Assistant El Paso Field Office Director for
U.S. Immigration and Customs Enforcement
and Warden of the El Paso Processing Center,
et al.,

Respondents–Defendants.

25-CV-00171-DB

TEMPORARY RESTRAINING ORDER

Upon consideration of Petitioner-Plaintiff's "Emergency Application for a Motion for a Temporary Restraining Order", ECF No. 3:

Having determined that Petitioner-Plaintiff ("Petitioner") and the proposed class are likely to succeed on the merits of their claims that the Proclamation violates the Alien Enemies Act ("AEA"), 50 U.S.C. § 21 *et seq.*; that the AEA does not authorize Respondents-Defendants ("Respondents") to summarily remove them from the United States; that Respondents' actions implementing removals under the AEA violate due process, the Immigration and Nationality Act, and statutes providing protection for those seeking humanitarian relief; that in the absence of injunctive relief Petitioner and the proposed class will suffer irreparable injury in the form of unlawful removal that may be irreversible; and that the balance of hardships and public interest favor temporary relief.

IT IS THEREFORE ORDERED that Petitioner's Motion for a Temporary Restraining Order, ECF No. 3, is hereby **GRANTED** once the Court's order in *Sanchez Puentes v. Garite*, EP-25-CV-00127-DB, ECF No. 27, is stayed, due to the extreme speed at which removal from this District may occur and the irreparable consequences of the Court's potential loss of jurisdiction; that the proposed class is provisionally certified; and that Respondents (excluding the President with respect to any injunctive relief), their agents, representatives, and all persons or entities acting in concert with them are hereby:

1. **ORDERED**, pending further order of this Court, not to remove Petitioner, or any member of the putative class consisting of *all noncitizens in custody in the Western District of Texas who were, are, or will be subject to the March 2025 Presidential Proclamation entitled "Invocation of the Alien Enemies Act Regarding the Invasion of the United States by Tren De Aragua" and/or its implementation*, from the United States under the Presidential Proclamation entitled "Invocation of the Alien Enemies Act Regarding the Invasion of The United States by Tren De Aragua";
2. **ORDERED**, pending further order of this Court, not to transfer Petitioner, or any member of the putative class, from the Western District of Texas without notice to counsel;
3. **ORDERED**, pending further order of this Court, to provide Petitioner and members of the putative class, as well as provisional class counsel, with notice of any designation as an Alien Enemy under the Proclamation at least 30 days prior to any removal pursuant to the Proclamation; and

4. **ORDERED**, pending further order of this Court, to provide provisional class counsel with notice of the transfer of any individual designated an Alien Enemy under the Proclamation into the District.
5. **IT IS FURTHER ORDERED** that Petitioner shall not be required to furnish security for costs.

ENTERED on this 13th day of May 2025 at 2:47 p.m.



HONORABLE DAVID BRIONES
SENIOR UNITED STATES DISTRICT JUDGE