

UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA

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Doğukan Günaydın,

File No. 25-CV-01151 (JMB/DLM)

Petitioner,

v.

Donald J. Trump, *in his official capacity as President of the United States*; Joel Brott, *in his official capacity as the Sherburne County Sheriff*; Peter Berg, *in his official capacity as the St. Paul Field Office Director for U.S. Immigration and Customs Enforcement*; Jamie Holt, *in her official capacity as Homeland Security Investigations St. Paul Special Agent in Charge, U.S. Immigration and Customs Enforcement*; Todd Lyons, *in his official capacity as Acting Director, U.S. Immigration and Customs Enforcement*; Kristi Noem, *in her official capacity as Secretary of the United States Department of Homeland Security*; and Marco Rubio, *in his official capacity as Secretary of State*,

**ORDER**

Respondents.

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Hannah Brown, HB Law and Advocacy, Wayzata, MN; Kelsey Hines, Hines Immigration Law, PLLC, Roseville, MN, for Petitioner Doğukan Günaydın.

Friedrich A. P. Siekert and Ana H. Voss, United States Attorney's Office, Minneapolis, MN, for Respondents Donald J. Trump, Joel Brott, Peter Berg, Jamie Holt, Todd Lyons, Kristi Noem, and Marco Rubio.

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This matter is before the Court on Petitioner Doğukan Günaydın's oral request made during the May 12, 2025 hearing on his Motion for a Temporary Restraining Order (TRO) to extend the TRO entered by this Court on April 28, 2025 against Respondents Donald J.

Trump, Joel Brott, Peter Berg, Jamie Holt, Todd Lyons, Kristi Noem, and Marco Rubio (together, Respondents) for an additional period of fourteen days. For the reasons stated below, the Court grants the extension request.

On April 28, 2025, the Court entered an *ex parte* TRO that prohibited Respondents or any other person or agency from removing, transferring, or otherwise facilitating the removal of Günaydın from the District of Minnesota. (Doc. No. 28.) The Court scheduled argument on Günaydın’s motion for injunctive relief for May 12, 2025. (*Id.*)

Between the time the Court issued the *ex parte* TRO and the time the parties came before the Court for argument on the motion, an immigration judge dismissed the Department of Homeland Security’s (DHS) charges of removability against Günaydın pursuant to INA § 237(a)(4)(A)(ii). (Doc. No. 29 ¶ 6.) Thereafter, DHS appealed the dismissal. (*Id.* ¶ 8.) Günaydın remains detained pursuant to the automatic-stay provision at 8 C.F.R. § 1003.19(i). As a result of these changed circumstances, Günaydın’s counsel has represented that they will file an amended petition in this action to address new constitutional arguments.

The Court finds that good cause exists to extend the TRO. Given the uncertainty in these proceedings to date (as recited in the Court’s April 28, 2025 order for an *ex parte* TRO), recent occurrences in the underlying immigration proceedings, recent constitutional arguments raised, and Respondents’ agreement during the May 12 motion hearing that an extension is appropriate and supported by good cause, justice requires keeping Günaydın in this District until the merits of his underlying habeas action can be determined. If Respondents transfer Günaydın out of the District of Minnesota, Günaydın will suffer

irreparable harm: he may lose access to counsel, the Court may lose jurisdiction over the custodial Respondents, and Günaydın may no longer be able to participate in litigation. These are injuries that are concrete and imminent and that cannot be remedied after they occur. Therefore, the Court grants Günaydın's motion and continues to prohibit Respondents from transferring him outside of this District until further order of the Court.

### **ORDER**

Based on the foregoing, and on all of the files, records, and proceedings herein, IT IS HEREBY ORDERED THAT Petitioner Doğukan Günaydın's Oral Motion for an Extension to the Temporary Restraining Order is GRANTED as follows:

1. Respondents and all other persons and agencies acting on Respondents' behalf remain temporarily enjoined from removing, transferring, or otherwise facilitating the removal of Günaydın from the District of Minnesota.
2. This Order is effectively immediately and shall expire fourteen days after the date of entry unless Günaydın shows good cause for its extension.

Dated: May 12, 2025

/s/ Jeffrey M. Bryan  
Judge Jeffrey M. Bryan  
United States District Court