

**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF
LOUISIANA, LAKE CHARLES DIVISION**

Alejandro Nicolas Pineda Perla v. Kristi Noem et al.

Pineda Perla v. Noem · No. 2:25-CV-02074 · Decided December 23, 2025

OPINION

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA LAKE CHARLES DIVISION ALEJANDRO NICOLAS PINEDA PERLA CASE NO. 2:25-CV-02074 SEC P VERSUS JUDGE JAMES D. CAIN, JR. KRISTI NOEM ET AL MAGISTRATE JUDGE LEBLANC ORDER Before the Court is “Petitioners’ Motion for Temporary Restraining Order” (Doc. 2) filed by Alejandro Nicolas Pineda Perla wherein Petitioner requests a temporary restraining order (“TRO”) pending adjudication of his Petition for a Writ of Habeas Corpus and an order to show cause why a preliminary injunction should not issue pending the final disposition of their habeas petition.¹ Specifically, Petitioner requests immediate release from custody and that Respondents be ordered to conduct a bond hearing.

The very basis of a habeas action is to challenge the statutory or constitutional basis for detention. See *Dep’t of Homeland Sec. v. Thuraissigiam*, 591 U.S. 103, 117 (2020) (“[T]he essence of habeas corpus is an attack by a person in custody upon the legality of that custody, and ... the traditional function of the writ is to secure release from illegal custody.”) (quoting *Preiser v. Rodriguez*, 411 U.S. 475, 484 (1973)).

Seeking injunctive relief that mirrors the relief requested in the habeas petition is nothing more than a motion 1 Doc. 1. to decide my habeas petition now. See *Garcia-Aleman v. Thompson*, No. 5:25-CV-00886, ECF No. 20 (S.D. Tex. Oct. 30, 2025)).

Here, Plaintiff is seeking immediate release or in the alternative, that the Court order “Respondents [] to conduct a bond hearing at which the government must bear the burden of justifying Petitioner’s continued detention by clear and convincing evidence.”?

The Court considers this to be a short cut around the habeas process. The preliminary relief sought—a bond hearing—amirrors the ultimate relief sought in the habeas Petition, and the arguments for both are the same.

Accordingly, IT IS ORDERED that the Petitioner’s Motion for Temporary Restraining Order (Doc. 3) is DENIED, and this matter is hereby referred to the Magistrate Judge for the issuance of an expedited briefing schedule and further disposition. **THUS DONE AND SIGNED** in chambers on this 23rd day_of December, 2025. UNITED STATES DISTRICT JUDGE Page 2 of 2

