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6 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
7 **SAN FRANCISCO DIVISION**

8 JOSE IVAR PINEDA CAMPOS,

9 Petitioner,

10 v.

11 POLLY KAISER, Acting Field Office Director
12 of the San Francisco Immigration and Customs
13 Enforcement Office; TODD LYONS, Acting
14 Director of United States Immigration and
15 Customs Enforcement; KRISTI NOEM,
Secretary of the United States Department of
Homeland Security, PAMELA BONDI,
Attorney General of the United States, acting in
their official capacities,

16 Respondents.
17

CASE NO. 3:25-cv-06920-JD

**PETITIONER'S NOTICE OF
MOTION AND MOTION FOR
PRELIMINARY INJUNCTION**

NOTICE OF MOTION AND MOTION

PLEASE TAKE NOTICE that at 10:00am on September 18, 2025, Petitioner Jose Ivar Pineda Campos will and hereby does move this Court to grant a preliminary injunction that (1) enjoins Respondents from re-detaining Petitioner absent further order of this Court; (2) in the alternative, enjoins Respondents from re-detaining him unless they demonstrate at a pre-deprivation bond hearing, by clear and convincing evidence, that Petitioner is a flight risk or danger to the community such that his physical custody is required; and (3) prohibits the government from transferring him out of this District and/or removing him from the country until these habeas proceedings have concluded.

This motion is made pursuant to Federal Rule of Civil Procedure 65(a) and Civil Local Rule 65-2. This motion is based on this Notice of Motion and Motion; the accompanying Memorandum of Points and Authorities; the supporting Declarations of Diana Marisca, P.F. Gonzalez Montes De Oca, and Petitioner's counsel Jordan Weiner; the Proposed Order; the papers, evidence, and records on file in this action; and any other written or oral evidence or argument as may be presented at or before the time this motion is heard by the Court. This motion is also supported by the Petition for Writ of Habeas Corpus (ECF No. 1).

This motion is made following the entry of a Temporary Restraining Order by the duty judge on August 16, 2025, which (1) ordered Respondents to immediately release Petitioner from Respondents' custody, (2) enjoined and restrained Respondents from re-detaining Petitioner without notice and a pre-deprivation hearing before a neutral decisionmaker, and (3) enjoined Respondents from removing Petitioner from the United States. (ECF No. 4). The order is set to remain in effect until Saturday, August 30, 2025, at 5:00 p.m. On August 17, 2025, Respondents filed a status report confirming Petitioner's release. (ECF No. 5).

Date: August 26, 2025

Respectfully Submitted,

/s/ Jordan Weiner
Jordan Weiner