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Attorney for Petitioners

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

SAUL HERNANDO ACOSTA ROA et al.,

Petitioners,

v.

OFFICIAL FULFILLING THE DUTIES OF
FIELD OFFICE DIRECTOR et al.,

Respondents.

CASE NO. 3:25-cv-07802-RS

**PETITIONERS' NOTICE OF
MOTION AND EX PARTE MOTION
FOR TEMPORARY RESTRAINING
ORDER**

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ORDER

CASE NO. 3:25-cv-07802

NOTICE OF MOTION AND MOTION

PLEASE TAKE NOTICE as soon as it may be heard in the United States District Court for the Northern District of California, that Petitioners Saul Hernando Acosta Roa, Cristian Alberto Cedeno Correa, Diana Sofia Cuadros Carreno, Geni Viviana Henao Zambrano, Yeison Fabiany Garcia Hurtatis, Yina Paola Hoyos Carvajal, Jenyffer Karina Pabon Jimenez, and Andres Felipe Restrepo Motta, will and hereby do move for a temporary restraining order pursuant to Federal Rule of Civil Procedure 65(b) and Civil Local Rule 65-1. Because Petitioners' detention violates the Due Process Clause of the Fifth Amendment to the United States, Petitioners respectfully request that this Court (1) order Petitioners' immediate release from Respondents' custody pending these proceedings, without requiring bond or electronic monitoring, or, in the alternative, (2) order Petitioners' immediate release from Respondents' custody and, within 14 days, order a pre-deprivation bond hearing before the San Francisco Immigration Court, where Respondents shall bear the burden of proof to show, by clear and convincing evidence, that Petitioners are a danger or a flight risk. To preserve this Court's jurisdiction, Petitioners further seek an order enjoining Respondents from transferring Petitioners out of this District or deporting them during the pendency of the underlying proceedings.

This motion is based on this Notice of Motion and Motion; the accompanying Memorandum of Points and Authorities; the supporting Declarations of P.F. Gonzalez Montes De Oca, Talia Housman, Diana Mariscal, and Dalia Blevins, and Petitioners' 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).

Consistent with Civil L.R. 65-1, Petitioners seek relief at the earliest possible opportunity. Petitioners are filing this motion the same day they filed their Petition for Writ of Habeas Corpus.

Pursuant to Civil L.R. 65-1(a)(5), and as detailed further in the Declaration of Jordan Weiner, Counsel for Petitioners emailed a copy of the filed petition to Counsel for Respondents

1 and advised that a Motion for TRO would be forthcoming. Petitioner also emailed Counsel for
2 Respondents a copy of the Memorandum of Points and Authorities shortly before filing it. As of
3 this filing, Respondents have not stipulated to a TRO.

4
5 Date: September 12, 2025

Respectfully Submitted,

6 /s/ Jordan Weiner

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10 *Attorney for Petitioners*