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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Miguel PORTILLO;
Francisco DIAZ GUTIERREZ;
Rudy MENDEZ ESCARENO;
Olmer Alfredo BERNAL MENDEZ;
Yenni PEREZ QUINILLA;
Florentina RAMIREZ GATICA;
Felix Cesario MORALES GOMEZ;
and Miguel ARGUETA REYES,

Petitioners,

v.

Kristi NOEM, Secretary, U.S.
Department of Homeland Security;
Pamela BONDI, U.S. Attorney General;
Todd LYONS, Acting Director,
Immigration and Customs Enforcement;
Ernesto SANTACRUZ JR., Acting
Director, Los Angeles Field Office,
Immigration and Customs Enforcement,
Enforcement and Removal Operations;
Fereti SEMAIA, Warden, Adelanto ICE
Processing Center; EXECUTIVE
OFFICE FOR IMMIGRATION
REVIEW; IMMIGRATION AND
CUSTOMS ENFORCEMENT; U.S.
DEPARTMENT OF HOMELAND
SECURITY,

Respondents.

Case No. 5:25-cv-2892

**PETITIONERS' EX PARTE
APPLICATION FOR
TEMPORARY RESTRAINING
ORDER AND ORDER TO SHOW
CAUSE**

1 Pursuant to Rule 65(b)(1) of the Federal Rules of Civil Procedure, Petitioners
2 hereby move the Court for emergency relief in the form of:
3

- 4 1) a temporary restraining order directing Respondents to release Petitioners
5 from their custody or to provide Petitioners with individualized bond
6 hearings before an immigration judge pursuant to 8 U.S.C. § 1226(a)
7 within seven days of issuance of an Order;
8
9 2) a declaration that Petitioners' detention is governed by 8 U.S.C. § 1226(a)
10 and that their detention under 8 U.S.C. § 1225(b)(2) is unlawful; and
11
12 3) a temporary restraining order enjoining the Respondents from relocating
13 Petitioners outside of the Central District of California pending final
14 resolution of this case.
15

16 Petitioners seek this emergency relief because their continued detention
17 without an initial bond hearing is depriving Petitioners of statutory and
18 constitutional rights and is causing immediate and irreparable injury in the form of
19 the unlawful deprivation of their liberty.
20

21 Petitioners further move for the issuance of an order to show cause as to why
22 a preliminary injunction should not issue.
23

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1 This application is supported by the Memorandum of Points and Authorities,
2 accompanying exhibits, as well as any additional submissions that may be
3 considered by the Court.
4

5 Respondents oppose this TRO Application.

6 Dated: October 30, 2025

Respectfully submitted,

8 s/ Niels W. Frenzen

9 NIELS W. FRENZEN

10 JEAN REISZ

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16 Attorneys for Petitioners
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CERTIFICATE OF COUNSEL

Pursuant to Rule 65(b)(1)(B) of the Federal Rules of Civil Procedure, L.R. 7-19.1, and L.R. 65-1, I hereby certify that on October 29, 2025 at 3:45 PM, I spoke by telephone with Daniel Beck, AUSA, Chief, Complex and Defensive Litigation Section, U.S. Attorney's Office, Central District of California, and informed him of our intent to file an ex parte application for TRO in this matter. Prior to our conversation, I emailed Mr. Beck a summary of the parties and claims. Mr. Beck indicated that Respondents opposed a TRO.

I will provide a copy of the Application for a Temporary Restraining Order, Memorandum of Points and Authorities, Supporting Exhibits, and Petition for Writ of Habeas Corpus to Mr. Beck by emailing copies to Daniel.Beck@usdoj.gov shortly after filing the pleadings via CM/ECF.

Dated: October 30, 2025

Respectfully submitted,

s/ Niels W. Frenzen

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