

JONATHAN ABEL (CA SBN #293086), Designated  
Counsel for Service  
Professor of Law  
U.C. Law San Francisco, Immigrants' Rights Clinic  
200 McAllister Street, Rm. 342-200  
San Francisco, CA 94102  
Telephone: 617-548-6230  
Facsimile: 415-712-0228  
Email: abeljonathan@uclawsf.edu

SHIRA LEVINE (CA SBN #293080), Designated  
Counsel for Service  
Deputy Legal Director  
Immigration Institute of the Bay Area  
476 3<sup>rd</sup> St.,  
Oakland, CA 94607  
Telephone: 734-262-1930  
Facsimile: 415-712-0228  
Email: slevine@iibayarea.org

Pro Bono Attorney for Petitioner

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

FULVIO CASTILLO GOMEZ,  
  
Petitioner,  
  
v.  
  
SERGIO ALBARRAN et al.,  
  
Respondents.

CASE NO.

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

PETITIONERS' NOTICE OF MOTION AND EX PARTE MOTION FOR TEMPORARY RESTRAINING  
ORDER  
CASE NO.

**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 Petitioner Fulvio Castillo Gomez will and hereby does move for a temporary restraining order pursuant to Federal Rule of Civil Procedure 65(b) and Civil Local Rule 65-1. Because Petitioner's detention violates the Due Process Clause of the Fifth Amendment to the United States, Petitioner respectfully requests that this Court (1) order Petitioner's immediate release from Respondents' custody pending these proceedings, without requiring bond or electronic monitoring, or, in the alternative, (2) order Petitioner's 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, Petitioner further seek an order enjoining Respondents from transferring Petitioner 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, 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, Petitioner 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 Jonathan Abel, Counsel for Petitioner emailed a copy of the filed petition to Counsel for Respondents and advised that a Motion for TRO would be forthcoming. Petitioner is also emailing Counsel for Respondents a copy of the Memorandum of Points and Authorities. As of this filing, Respondents have not stipulated to a TRO.

1 Date: March 2, 2026

Respectfully Submitted,

2 /s/ Jonathan Abel

Jonathan Abel (SBN 293086)

3 U.C. Law San Francisco, Immigrants' Rights  
4 Clinic

200 McAllister Street, Rm. 342-200

5 San Francisco, CA 94102

Telephone: 617-548-6230

6 Facsimile: 415-712-0228

7 Email: [abeljonathan@uclawsf.edu](mailto:abeljonathan@uclawsf.edu)

8 *Attorney for Petitioner*