

Magistrate Judge Brian A. Tsuchida

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE**

ROSA PADILLA PAZ,

Petitioner,

v.

JULIO HERNANDEZ et al.,

Respondents.

Case No. 2:26-cv-01394-BAT

**PETITIONER'S REPLY TO
RESPONSE TO MOTION FOR A
TEMPORARY RESTRAINING
ORDER**

INTRODUCTION

Rosa Padilla Paz's ("Rosa") civil detention serves no legitimate government purpose. She is not a flight risk or danger; is being held in carceral conditions; has been detained for nearly a year and will continue to be detained for months or years; and inadequate agency process has left her without the ability to be released. Rosa is suffering ongoing irreparable harm by virtue of her unlawful detention and the death of her nephew, who helped provide for her daughters and for whom she is next of kin. The Court should accordingly order her immediate release.

Respondents sidestep these points in their answer. *See generally* Dkt. 10. Instead, Respondents erroneously blame Rosa for failing to make an administrative request for release due to her nephew's death, ignoring that her immigration counsel did so. They assert that she "merely" seeks to relitigate her first bond hearing, ignoring that Rosa was again denied bond just last week, that this habeas petition brings a new substantive due process claim, and that other judges in this

1 district have recognized a petition like this one is proper. Respondents also err by stating that this
2 Court lacks the ability to review IJ bond decisions, when the Ninth Circuit has firmly held that it
3 does. And most crucially, Respondents paint a misleading picture of the merits by ignoring Rosa's
4 central claim: that substantive due process and the record before the immigration court cannot
5 support her ongoing civil detention.

6 Rosa also satisfies the other TRO factors. The unique harm here squarely falls within the
7 Court's General Order 10-25. Rosa's nephew—who she raised as a son and for whom she is next
8 of kin—recently passed away. That nephew helped care for Rosa's three U.S. citizen children
9 while she was in detention. She is thus urgently needed to make arrangements following her
10 nephew's death, to mourn a person she raised and considers a son, and now, to help care again for
11 her minor U.S. citizen daughters. Each day of continued detention compounds an irreparable harm
12 that no later order can undo: the funeral Rosa cannot help plan, the body she cannot help claim,
13 the psychological harm and trauma suffered by her U.S.-citizen children.

14 The balance of equities and public interest weigh decisively in Rosa's favor: the
15 government has no legitimate interest in detaining a trafficking survivor who poses no danger or
16 flight risk, while the public interest is served by vindicating constitutional rights and enabling a
17 single mother to care for her U.S.-citizen family members and to make arrangements following
18 the death of a close family member. Rosa respectfully requests that this Court order her immediate
19 release.

20 ARGUMENT

21 **I. PETITIONER IS LIKELY TO SUCCEED ON THE MERITS.**

22 **A. Respondents do not respond to Petitioner's substantive due process 23 argument, which is likely to succeed on the merits.**

24 Respondents fail to respond to Rosa's claim that her continued detention violates
25 substantive due process. *See* Dkt. 1 ¶¶ 44-89; *see generally* Dkt. 10. Such a failure to contest
26 constitutes waiver of an argument. *See, e.g., United States v. Murguia-Rodriguez*, 815 F.3d 566,
27 572 (9th Cir. 2016) (government waives issue where it fails to argue it); *United States v. Dreyer*,

804 F.3d 1266, 1277 (9th Cir. 2015) (en banc) (the responding party “waives any argument it fails to raise in its answering brief”); *Y.M.M. v. Wamsley*, No. 2:25-CV-02075-TMC, 2025 WL 3101782, at *2 (W.D. Wash. Nov. 6, 2025) (granting petition where government did not argue merits of due process issue); *Soleimani v. Larose*, No. 25-cv-3082-DMS-DEB, 2025 WL 3268412, *3 (S.D. Cal. Nov. 24, 2025) (granting habeas petition where government’s response to the petition failed to respond to numerous claims raised in the petition); *Singh v. Chiang*, No. ED CV 25-3024 FMO (SP), 2025 WL 4058328, *4 (C.D. Cal. Dec. 15, 2025) (construing government’s failure to oppose argument raised by habeas petitioner as a concession).

In any event, Respondents cannot meaningfully contest that all the substantive due process factors favor Rosa. Respondents do not contest that Rosa’s civil detention (now 329 days) has become prolonged, *see* Dkt. 2 at 12-13; that government delay favors Rosa, *id.* at 13-14; that the conditions of confinement are carceral in nature and punitive as applied to her, *id.* at 17-18; and that she is not a present flight risk or danger, *id.* at 14-17. *See generally* Dkt. 10. Respondents merely argue that because she was given a bond hearing, she has received some process and that is all that is due. *See* Dkt. 10 at 6–10. The Constitution, and case law in this Circuit, show otherwise. *See* Dkt. 1 ¶¶ 44-89.

When Respondents address Rosa’s due process arguments at all, they conflate procedural and substantive due process. *See* Dkt. 10 at 6–8 (applying the test from *Mathews v. Eldridge*, 424 U.S. 319 (1976)). Substantive due process “protects individuals from arbitrary deprivation of their liberty by government.” *Brittain v. Hansen*, 451 F.3d 982, 991 (9th Cir. 2006). Unlike procedural due process, substantive due process “forbids the government to infringe certain ‘fundamental’ liberty interests *at all*, no matter what process is provided, unless the infringement is narrowly tailored to serve a compelling state interest.” *Reno v. Flores*, 507 U.S. 292, 301-02 (1993).

B. Petitioner’s habeas petition is not an attempt to relitigate her prior habeas petition but a new challenge based on her unreasonable and unwarranted prolonged detention and the IJ’s abuse of discretion.

Respondent’s argument that this petition is an abuse of the writ is without merit. *See* Dkt. 10 at 5-6. Rosa brings new, previously unavailable claims in the instant case.

1 The abuse of the writ doctrine “generally forbids the reconsideration of claims that were
2 or could have been raised in a prior habeas petition.” *Alaimalo v. United States*, 645 F.3d 1042,
3 1049 (9th Cir. 2011) (citation modified). Federal courts may apply the “abuse of the writ”
4 doctrine when a petitioner files a second or “successive” petition “if the writ presents no new
5 grounds for relief unless the ends of justice require consideration of the merits.” *Barapind v.*
6 *Reno*, 72 F. Supp. 2d 1132, 1143 (E.D. Cal. 1999). The doctrine may also apply when a
7 petitioner files a second petition for writ of habeas corpus, pleading issues that could have been
8 raised in an earlier petition. *McCleskey v. Zant*, 499 U.S. 467, 489 (1991). The government bears
9 the burden to identify “with clarity and particularity” the issues raised that could have been
10 presented in the first petition. *Id.* at 468; *see also Sho v. Current or Acting Field Office Director*,
11 No. 1:21-cv-1812 TLN AC P, 2022 WL 17555400 at *1-2 (E.D. Cal. Dec. 9, 2022) (a
12 “conclusory characterization of the cases as ‘identical’” does not suffice to invoke the abuse of
13 the writ doctrine).

14 In October 2025, immigration judge (IJ) John Odell denied Rosa bond based on an alleged
15 lack of jurisdiction, in clear violation of the Court’s order in *Rodriguez Vazquez v. Hermosillo*, No.
16 3:25-cv-05240 (W.D. Wash.), and also made alternate findings of dangerousness and flight risk.
17 Dkts. 3-10, 3-11. Petitioner challenged the IJ’s finding as to jurisdiction in a group habeas with the
18 assistance of class counsel. *See Corrales Castillo v. Wamsley*, No. 2:25-cv-02172-TMC, 2025 WL
19 3204370, at *2–3 (W.D. Wash. Nov. 17, 2025). At the time *Corrales Castillo* was filed, the
20 *Rodriguez Vazquez* court had not yet addressed how it was going to treat *Rodriguez Vasquez* class
21 members with alternate flight risk or dangerousness findings. In *Corrales Castillo* and one other
22 early *Rodriguez Vazquez* enforcement case, the *Rodriguez Vazquez* court held that habeas relief
23 for people with flight risk or danger findings was premature because those findings provided an
24 alternative basis for detention that must also be addressed. *See id.*; *see also Cantero Garcia v.*
25 *Wamsley*, No. 2:25-CV-02092-TMC, 2025 WL 3123996, at *2 (W.D. Wash. Nov. 7, 2025). The
26 Court did not foreclose a future habeas challenge, but only clarified that the dangerousness or flight
27 risk findings would need to be addressed separately. This Court has since considered similar

1 claims, recognizing that the filing of a *Rodriguez Vazquez* enforcement habeas that is denied due
2 to a danger or flight risk finding should not preclude a later petition challenging those findings.
3 *See Vasquez Lopez v. Hernandez*, No. C26-0775 TSZ, 2026 WL 984151, at *1 n.4 (W.D. Wash.
4 Apr. 13, 2026); *K.G.M.Q. v. Bondi*, No. 2:26-CV-00506-TL, 2026 WL 962609, at *4 (W.D. Wash.
5 Apr. 9, 2026) (“[T]he petition now before the Court raises distinct issues from the petition
6 previously denied.”).

7 Rosa now brings challenges that *could not* have been brought in the initial petition. First,
8 Rosa sought to exhaust agency processes, appealing the IJ’s October 2025 bond decision to BIA.
9 However, contrary to Respondents’ assertion, *see* Dkt. 10 at 6-8, the review process has not proven
10 to be constitutionally adequate. Respondents have failed to rule on Rosa’s initial bond appeal,
11 though 181 days have passed since its filing. Respondents have prolonged Rosa’s detention while
12 she has sought administrative review in good faith, to no avail. The prolonged nature of her
13 detention forms part of the basis of her claim that her detention is excessive relative to the
14 regulatory purpose of the statute. *See* Dkt. 1 at ¶¶ 54-58; *cf. Lima Soriano v. Hernandez*, No. 2:26-
15 CV-00900-DGE, 2026 WL 969764, at *4 (W.D. Wash. Apr. 10, 2026) (waiving exhaustion
16 requirement in challenge to IJ denial of bond in part because of “the lengthy delays inherent in the
17 current appeals process” which data shows take six months or more, as demonstrated by Rosa’s
18 own case).

19 Second, and relatedly, Rosa could not have brought a substantive due process challenge as
20 part of her prior habeas petition. At the time, she had been detained around five months. Now,
21 however, she has been detained nearly eleven months, a fact that is key to succeeding on her
22 substantive due process claim. This claim thus strongly underscores that this second petition is
23 proper.

24 Finally, Rosa brings a new challenge to the IJ’s abuse of discretion in denying her bond
25 based on the October 2025 hearing and the supplemental record now before the IJ. Notably, since
26 her original October 2025 bond hearing and the prior habeas decision, Rosa received law
27 enforcement certifications certifying her cooperation in the investigation of her prior abuser; filed

her now-pending T and U visa applications; her daughter E.B.P. was diagnosed with autism spectrum disorder; a risk assessment has found her to be low risk of recidivism; and this past weekend, her nephew died. *See* Dkt. 3-18 at 50-56 (risk assessment), 69-153 (T visa application), 155-229 (U visa application), 242-47 (daughter's psychological evaluation); Dkt. 3-2 ¶¶ 26-33; Dkt. 3-22 (Office of Chief Medical Examiner, verification of death letter). Based on the evidence, Rosa requested a new bond hearing based on the changed circumstances, but IJ Odell denied the request without explanation. *See* Dkt. 3-2 ¶¶ 33-36; Dkt. 3-17 (motion for new bond hearing); Dkt. 3-18 (evidence in support of motion); Dkt. 3-20 (IJ order denying changed circumstances bond motion). Rosa could not have previously brought a claim challenging the flight risk and danger findings on this full record before the immigration court.

C. The IJ abused his discretion in denying bond.

Respondents fail to respond meaningfully to Rosa's arguments that the IJ abused his discretion in denying bond. Rather, Respondents argue that (1) the Court lacks jurisdiction to review the IJ's bond determination, and (2) that her prolonged and indefinite detention meets constitutional muster because Rosa had a bond hearing and the ability to present evidence. Dkt. 10 at 2-8.

As to jurisdiction, Respondents erroneously assert that the Court lacks the authority to review IJ bond decisions. Dkt. 10 at 2. However, in *Martinez v. Clark*, 124 F.4th 775, 783 (9th Cir. 2024), the Ninth Circuit explained that the Supreme Court's decision in *Wilkinson v. Garland*, 601 U.S. 209 (2024), "compels the conclusion that application of the 'dangerousness' standard [in IJ bond proceedings] is a reviewable mixed question." As the court of appeals observed, 8 U.S.C. § 1226(e) does "not strip federal courts of traditional habeas jurisdiction." *Martinez*, 124 F.4th. at 781 (citation omitted). Such traditional jurisdiction includes review of "constitutional claims or questions of law." *Id.* at 782. The question of whether the established facts demonstrate a person is a flight risk or danger is a reviewable question, because "mixed questions of law and fact, even when they are primarily factual," are still reviewable "questions of law" for purposes of the Immigration and Nationality Act (INA). *Martinez*, 124 F.4th at 782-83; *see also* 8 U.S.C. §

1 1252(a)(2)(D). In such cases, the habeas court reviews the IJ decision for abuse of discretion.
 2 *Martinez*, 124 F.4th at 784; *see also* *Lima Soriano*, 2026 WL 969764 (reviewing flight risk finding
 3 and granting habeas petition); *Vasquez Lopez*, 2026 WL 984151 (reviewing flight risk and danger
 4 finding and granting habeas petition).

5 Here, Rosa asserts that the IJ's decisions in her bond proceedings constitute an abuse of
 6 discretion. Respondents do not respond at all to her abuse of discretion arguments, effectively
 7 conceding the issue. *See supra* pp. 2-3. Instead, Respondents simply assert that the hearing was
 8 fair because Rosa "had the opportunity to present evidence and argument." Dkt. 10 at 7. This is
 9 not responsive to Rosa's claims. She asserts that (1) her detention violates *substantive* due process,
 10 and that (2) on the record before the IJ, denying her bond was an abuse of discretion. Notably,
 11 even if Rosa was presenting a procedural due process claim, due process requires more than just a
 12 hearing and ability to present evidence: critically, it requires a neutral judge who will consider and
 13 weigh the evidence, apply the law, and provide a reasoned explanation for its decision. *Reyes-*
 14 *Melendez v. INS*, 342 F.3d 1001, 1006 (9th Cir. 2003) (holding that "a neutral judge is one of the
 15 most basic due process protections"); *see also* *Hernandez-Galand v. Garland*, 996 F.3d 1030,
 16 1034 (9th Cir. 2021) (stating that BIA abuses its discretion when it fails to provide a reasoned
 17 explanation for its actions); *Tadevosyan v. Holder*, 743 F.3d 1250, 1258 (9th Cir.
 18 2014) (explaining that the BIA decision lacked reasoned decision-making). Here, there was no
 19 such adjudicator, and the record shows that the IJ abused his discretion and made errors of law
 20 when (1) denying Petitioner's original October 2025 bond hearing, and (2) denying Petitioner's
 21 motion for a changed circumstances bond hearing on April 22, 2026. *See Martinez*, 124 F.4th at
 22 784-85.

23 In denying bond in the first instance, the IJ found the immigration court lacked jurisdiction
 24 in spite of this Court's holding in *Rodriguez Vazquez v. Bostock*, 802 F. Supp. 3d 1297 (W.D. Wash.
 25 2025). This was plain legal error. *See, e.g., Rodriguez Vazquez v. Hermosillo*, No. 3:25-CV-05240-
 26 TMC, --- F. Supp. 3d ----, 2026 WL 102461, at *6 (W.D. Wash. Jan. 14, 2026) (adamantly rejecting
 27 Respondents' assertions that they need not comply with the declaratory judgment in *Rodriguez*

1 *Vazquez*). The IJ also abused his discretion in finding Rosa to be a danger and flight risk while
2 ignoring case law on the importance of assessing recency for making dangerousness findings,
3 failing to address the meaning and relevance of Petitioner's vacatur orders, and ignoring the
4 extensive record demonstrating Petitioner's virtually nonexistent recidivism risk and deep ties to
5 the community, established residence, U.S. citizen children, and strong support network. *See* Dkt.
6 ¶¶ 97-102.

7 The IJ then repeated these same errors this past week by again denying Rosa's request for
8 bond in single sentence. Dkt. 3-20. In doing so, the IJ ignored the entire supplemental record, again
9 misapplied agency guidance and Ninth Circuit law, and again erroneously stated the Court lacked
10 jurisdiction.

11 Finally, contrary to Respondents' assertion, *see* Dkt. 10 at 8, Rosa does not concede that
12 the IJ considered all of the evidence in her bond proceedings. *See* Dkt 1 at 30. As set forth in the
13 petition, the IJ failed to consider evidence in the initial proceedings, including the expert
14 declarations from the psychologist and DV expert, evidence from a former Police Commission
15 Board Member regarding the lack of screening protocols during the time period in which Rosa was
16 arrested, and the voluminous evidence of her strong community ties and rehabilitation. The
17 language of the bond memorandum also demonstrates that IJ misunderstood the factual record—
18 particularly the meaning of Rosa's criminal court vacatur—which is strong evidence the IJ did
19 not properly consider the record when making his bond decision. The IJ also simply ignored Rosa's
20 nephew's death, the new recidivism evidence, and the newly filed applications for relief when
21 again denying bond last week. *Compare* Dkt. 3-18 (new bond evidence) *and* Dkt. 3-2 ¶¶ 33-36
22 *with* Dkt. 3-20 (IJ order).

23 The circumstances of this case are particularly tragic, but in many ways the IJ's disregard
24 for the record and equities is not. In recent weeks, this Court has repeatedly ordered the release of
25 individuals that Tacoma IJs have found to be flight risks and dangers. *See Lima Soriano*, 2026 WL
26 969764; *Vasquez Lopez*, 2026 WL 984151; *Escalante Perez v. Hernandez*, No. C26-0956 TSZ,
27 2026 WL 1004559 (W.D. Wash. Apr. 14, 2026); *Garcia Ortiz v. Henkey*, No. 1:26-CV-00043-

1 BLW, 2026 WL 948275, at *4 (D. Idaho Apr. 7, 2026); *W.T.M. v. Bondi*, No. 25-cv-2428, 2026
2 WL 262583 (W.D. Wash. Jan. 30, 2026). This merely underscores that Rosa is likely to success
3 on her claim here, as petitioners have in these related cases.

4 **II. PETITIONER IS SUFFERING SERIOUS AND IRREPARABLE INJURY**
5 **REQUIRING A TRO**

6 Rosa and her children are suffering current serious and irreparable harm because of both
7 her unlawful detention and because of her nephew's death for whom Rosa is next of kin.

8 Respondents argue that this is not the sort of imminent and irreparable harm contemplated
9 in the Court's General Order 10-25. But the Court's enumeration of imminent removal is simply
10 an *example* of imminent and irreparable harm that would warrant consideration of a TRO, and the
11 order does not limit imminent and irreparable harm to only those circumstances. *See* Gen. Order
12 10-25. This case presents equally pressing and unique circumstances beyond unlawful detention
13 that demonstrate imminent and irreparable harm. In particular, because of her nephew's death,
14 Rosa—who is a single mother—must now comfort her grieving minor children, retrieve the body
15 of her deceased nephew, make funeral arrangements for him as next of kin, and care for her
16 children in the ways that her nephew had been helping to do prior to his death.

17 Respondents suggest that Rosa could have sought relief to address these harms in other
18 ways, including by requesting “temporary leave” from detention to attend the funeral. *See* Dkt.
19 10 at 2, 4, 10. However, Respondents do not cite to any authority suggesting such processes
20 exist—because there do not. Indeed, Respondents' position is that Rosa's detention is
21 “mandatory,” and thus it is unclear how such a process *could* exist. In any event, this argument
22 also ignores the record. Rosa's immigration counsel notified Respondents of Rosa's nephew's
23 death as soon as she learned of it, requesting *immediate* relief on Rosa's pending changed
24 circumstances bond motion. *See* Dkt. 3-2 ¶¶ 35. But Respondents denied Rosa's bond motion
25 with a single, legally erroneous line. *See* Dkt. 3-20.

III. THE BALANCE OF EQUITIES AND PUBLIC INTEREST WEIGH STRONGLY IN PETITIONER'S FAVOR.

The public interest weighs strongly in Rosa's favor. Rosa is a single mother of three U.S. citizen children, ages 11, 15 and 20, one with serious medical needs. *See* Dkt. 3-5 at 10-11, 19-22; 92. As a teen and young woman, Rosa survived almost a decade of domestic abuse and human trafficking. *See* Dkt. 3-5 at 6-8. Through strangulation, rape, and death threats against her and her daughters, Rosa's trafficker forced her to sell drugs. *See id.* Her convictions have since been vacated as legally invalid under California Penal Code § 236.15 because the criminal courts recognized that they occurred under coercion due to the DV and trafficking. *See* Dkt. 3-6 at 16-19 (vacatur of 2010 conviction under Cal. Pen. Code § 236.15); Dkt. 3-8 at 37 (vacatur of 2014 conviction under Cal. Pen. Code § 236.15). Rosa has not been arrested since she escaped her abuser in 2014. *See* Dkt. 3-6 (criminal history chart); Dkt. 3-7 at 6 (2025 I-213 summary of criminal history). For over a decade, she lived a tranquil, law-abiding life, caring for her children as a single mother, working, and paying taxes, until she was arrested by ICE in June 2025. *See* 3-5 at 10-11; 29-33 (declaration of daughter Jennifer Bonilla); 40-41 (letter from Joc Wilson, Manager at the Sunnydale Resource Center who has known Rosa for almost two decades), 98 (letter of support from daughter S.C.P.'s school principal), 100-01 (letter of support from after school provider) 115-25 (Tax Returns); Dkt. 3-18 at 252 (letter of support from family liaison at daughters' elementary school), 255-56 (letter of support from outreach coordinator & community liaison at local community center), 258-68 (letters of support from other community members). Rosa is assisting law enforcement with an active investigation into her trafficking and other crimes committed against. She has pending applications for U and T visas based on her victimization and assistance with the law enforcement investigations, and a pending appeal in her removal case. Dkt 3-18 at 109-13 (T visa I-914 Supplement B); 193-97 (U visa I-918 Supplement B); Dkt. 3-19 (letter from Victim Advocate program at the District Attorney's Office); Dkt. 3-2 ¶¶ 24, 26-31.

Since Rosa's detention by ICE on June 2, 2025, her 20-year-old daughter Jennifer has born the responsibility of caring for her two younger siblings while also attending college and working.

1 See Dkt. 3-5 at 31. Last weekend, Rosa's nephew Jacobo—who had been helping care for her
2 daughters—died unexpectedly. See Dkt. 3-22 (Office of the Chief Medical Examiner, San
3 Francisco, verification of death letter). Rosa obtained legal guardianship of Jacobo when he was a
4 child and raised him like a son. See Dkt. 3-5 at 89 (letter of nephew Jacobo Padilla); Dkt. 3-21
5 (Guardianship Order). For the past 10 months while Rosa has been in detention, Jacobo provided
6 crucial support to Rosa's three children. See Dkt. 3-1 ¶¶ 19-22. Rosa is now needed to inter
7 Jacobo's body and arrange for his funeral as his next of kin. *Id.* ¶ 23. The equities and public interest
8 counsel strongly in favor of granting this emergency relief so that Rosa may be released from
9 custody to care for her children and arrange for the funeral for her nephew as his de-facto parent
10 and next-of-kin.

11 Notably, Respondents did not contest the substantive due process constitutional violation.
12 *Supra* pp. 2-3. Thus, in addition to the equities noted above, granting emergency relief will
13 promote the public interest by upholding the rule of law. “[N]either equity nor the public’s interest
14 are furthered by allowing violations of federal law to continue.” *Moreno Galvez v. Jaddou*, 52
15 F.4th 821, 832 (9th Cir. 2022); see also *Index Newspapers LLC v. U.S. Marshals Serv.*, 977 F.3d
16 817, 838 (9th Cir. 2020) (“It is always in the public interest to prevent the violation of a party’s
17 constitutional rights.”).

18 Nor is Rosa's continued detention necessary to achieve the Government's stated interest in
19 the orderly administration and enforcement of the immigration laws enacted by Congress. Dkt. 10
20 at 11. Rosa's removal proceedings are on appeal before the BIA and that appeal will continue if
21 she is released from custody. See Dkt. 3-2 ¶ 24; Dkt. 3-18 at 13-14. And as the Ninth Circuit has
22 explained, “the government has no legitimate interest in detaining individuals who have been
23 determined not to be a danger to the community and whose appearance at future immigration
24 proceedings can be reasonably ensured by a lesser bond or alternative conditions.” See *Hernandez*
25 *v. Sessions*, 872 F.3d 976, 994 (9th Cir. 2017). Accordingly, the balance of equities and public
26 interest factors weigh strongly in Rosa's favor and counsel in favor of granting this emergency
27 relief.

CONCLUSION

Given the exigent and unfolding family tragedy and the unique and irreparable harms outlined above, Petitioner respectfully requests the Court grant a TRO that immediately releases Petitioner from Respondents' custody.

Respectfully submitted this 27th day of April, 2026.

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I certify that this motion contains 3,998 words, in compliance with the Local Civil Rules.

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