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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ANDRES FELIPE OME OSORIO,

Petitioner,

v.

SERGIO ALBARRAN, Field Office Director of the San Francisco Immigration and Customs Enforcement Office; DAVID J. VENTURELLA, Acting Director of United States Immigration and Customs Enforcement; MARKWAYNE MULLIN, Secretary of the United States Department of Homeland Security; TODD BLANCHE, Acting Attorney General of the United States, acting in their official capacities,

Respondents.

CASE No. 3:26-cv-08783

NOTICE OF MOTION AND EX PARTE MOTION FOR TEMPORARY RESTRAINING ORDER

NOTICE OF MOTION AND MOTION

PLEASE TAKE NOTICE that, as soon as this matter may be heard in the United States District Court for the Northern District of California, Petitioner Andres Felipe Ome Osorio 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 Constitution and exposes him to an imminent, life-threatening medical risk, 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 Petitioner is a danger or a flight risk. To preserve this Court's jurisdiction, Petitioner further seeks an order enjoining Respondents from transferring Petitioner out of this District or deporting him during the pendency of the underlying proceedings.

This motion is based on the accompanying Memorandum of Points and Authorities; the Declaration of Elizabeth Knowles and the exhibits thereto; the Petition for Writ of Habeas Corpus (ECF No. 1) and its supporting exhibits; 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.

Consistent with Civil L.R. 65-1, Petitioner seeks relief at the earliest possible opportunity and files this motion the same day he filed his Petition for Writ of Habeas Corpus. Petitioner seeks relief on an ex parte basis because he is presently detained in violation of his due process rights and faces imminent, irreparable harm, including a serious risk of death arising from his cardiac condition and the absence of any medical safety plan in custody, and the risk that Respondents will transfer him out of this District—such that the delay attendant to a noticed motion would defeat the relief sought.

Pursuant to Civil L.R. 65-1(a)(5), and as detailed further in the Declaration of Elizabeth Knowles, Counsel for Petitioner emailed a copy of the filed petition to Counsel for Respondents and advised that a Motion for TRO would be forthcoming. As of this filing, Respondents have not stipulated to a TRO.

Date: August 21, 2026

Respectfully Submitted,

/s/ Elizabeth Knowles
ELIZABETH KNOWLES (CA SBN #286077)
Pro Bono Attorney for Petitioner