

LAWYERS' COMMITTEE FOR CIVIL RIGHTS
OF THE SAN FRANCISCO BAY AREA
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Attorneys for Petitioner

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

Y.G.H.,

Petitioner-Plaintiff,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, *et al.*,

Respondents-Defendants.

Case No. _____

**EMERGENCY MOTION FOR
TEMPORARY RESTRAINING
ORDER**

1 Petitioner-Plaintiff Y.G.H. (“Y.G.H.” or “Petitioner”) is in imminent danger of being
2 removed from this Court’s jurisdiction and from the United States. Accordingly, Petitioner
3 respectfully requests a temporary restraining order (“TRO”) to enjoin (1) any removal outside the
4 country pursuant to the Alien Enemies Act (“AEA”), (2) any transfer out of the Eastern District of
5 California, and (3) notice to Petitioner, as well as undersigned counsel, of any designation of an
6 Alien Enemy under the Proclamation, with at least 30 days’ notice prior to beginning to effectuate
7 any removal under the Proclamation.
8

9 The request for a temporary restraining order against Respondents is made pursuant to Rule
10 65 of the Federal Rules of Civil Procedure, the All Writs Act, and Local Rule 231(a)-(c). Y.G.H.
11 is a civil immigration detainee who is at substantial risk of immediate, summary removal from the
12 United States pursuant to the use of the AEA, 50 U.S.C. § 21, *et seq.*
13

14 As set forth in the accompanying Memorandum of Law, Respondents’ invocation and
15 application of the AEA violates the AEA’s plain text and exceeds the limited authority granted to
16 the President by Congress. Respondents’ invocation and application of the AEA also violates the
17 Immigration and Nationality Act. Without this court granting a TRO, Petitioner will suffer
18 irreparable injury, and the balance of hardships and the public interest favor relief.
19

20 In support of this Motion, Petitioner submits the accompanying Memorandum of Law and
21 Declaration of Jordan Wells. A proposed order is attached in accordance with L.R. 231(c)(6) as
22 well as the Court’s Temporary Restraining Order checklist. Petitioner respectfully requests that
23 this Court grant this emergency motion and issue a temporary restraining order as soon as possible.
24

25 Undersigned counsel emailed the Chief of the Civil Division of the U.S. Attorney’s Office
26 for the Eastern District of California, as well as another attorney in the Office’s Civil Division,
27 attaching a PDF copy of the Petition-Complaint within an hour of its filing on ECF on the evening
28 of April 14, 2025, notified them of this then-forthcoming motion, and sought a stipulation.

Undersigned counsel will email copies of this motion, along with the supporting papers and proposed order to those same attorneys immediately following this filing on ECF.

Dated: April 15, 2025

/s/ Jordan Wells

Jordan Wells

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