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10 **UNITED STATES DISTRICT COURT**
11 **FOR THE DISTRICT OF ARIZONA**

12 O.E.O.,

13 Petitioner,

14 vs.

15 FRED FIGUEROA, Warden, Eloy
16 Detention Center; JOHN E. CANTU,
Phoenix Field Office; TODD M. LYONS,
17 Acting Director of U.S. Immigration and
Customs Enforcement; ROBIN DUNN
18 MARCOS, Director of the Office of
Refugee Resettlement; ANDREW
19 GRADISON, Assistant Secretary for the
Administration of Children and Families;
20 ROBERT F. KENNEDY, JR., Secretary
of Health and Human Services; LUCIBEL
21 GAST, Federal Field Specialist at the
Office of Refugee Resettlement; KRISTI
22 NOEM, Secretary of the U.S. Department
of Homeland Security,
24

25 Respondents.

Case No.

Hon.

**PETITIONER'S APPLICATION
FOR ORDER TO SHOW
CAUSE TO DENY
TEMPORARY RESTRAINING
ORDER AND PRELIMINARY
INJUNCTION**

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**PETITIONER'S APPLICATION FOR ORDER TO SHOW CAUSE TO DENY
TEMPORARY RESTRAINING ORDER AND PRELIMINARY INJUNCTION**

Pursuant to Rule 65(b) of the Federal Rules of Civil Procedure, Petitioner O.E.O. hereby moves this court for the issuance of an order to show cause as to why a temporary restraining order, or in the alternative, a preliminary injunction, should not issue, granting the following relief requested:

1. Declare that ICE's and ORR's age redetermination failed to take multiple pieces of evidence into account, in violation of 8 U.S.C. § 1232(b)(4), and order that ICE and ORR immediately rescind the May 21 Memo.
2. Enjoin Respondents from applying the non-compliant age determinations as the basis for the expedited removal, custody determinations, or other immigration relief made by the agency until ORR makes an age determination in accordance with 8 U.S.C. 1232(b)(4) and ORR's Policy Guidelines.
3. Respondents from causing Petitioner any greater harm during the pendency of this litigation, such as by transferring him anywhere outside of the jurisdiction of the District of Arizona or the Central District of California, away from his counsel.
4. Order ORR to complete an age determination in compliance with 8 U.S.C. 1232(b)(4) and its Policy Guidelines within forty-eight hours of the date of this Order, in compliance with 8 U.S.C. §1232(a)(4).
5. Order O.E.O.'s transfer to ORR custody within the next seventy-two hours, in compliance with 8 U.S.C 1232(b)(3), and release him to his sponsor immediately and, in any case, no later than 3 days after his transfer to ORR custody, in compliance with 8 U.S.C. § 1232(c)(2)(B), which requires prompt release to the least restrictive setting.

The motion is based upon a notice of motion; the memorandum of points and authorities in support thereof; the proposed order filed concurrently herewith; the

1 pleadings, records, and papers on file in this action; oral argument of counsel; and any
2 other matters properly before the Court.

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4 Dated: June 30, 2025

Respectfully submitted
By: /s/ Carson Adrianna Scott
Carson Adrianna Scott
Immigrant Defenders Law Center
Pro Bono Attorney for Petitioner