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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

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|----------------------------------|---|---------------------------------------|
| Jose Angel Giron Rodas, |) | CASE NO.: <u>'25CV1912 LL AHG</u> |
| |) | |
| Petitioner-Plaintiff, |) | |
| |) | PETITIONER-PLAINTIFF'S |
| v. |) | APPLICATION FOR TEMPORARY |
| |) | RESTRAINING ORDER AND ORDER TO |
| Todd Lyons, Acting Director, |) | SHOW CAUSE |
| Immigration and Customs |) | |
| Enforcement; Gregory J. |) | |
| Archambeault, San Diego Field |) | |
| Office Director, Immigration and |) | |
| Customs Enforcement Removal |) | |
| Operations, and Christopher J. |) | |
| LaRose, Warden, Otay Mesa |) | |
| Detention Center |) | |
| |) | |
| Respondents-Defendants. |) | |
| |) | |

29 Pursuant to Rule 65(b) of the Federal Rules of Civil Procedure, Petitioner-
30 Plaintiff Jose Giron Rodas hereby moves the Court for emergency relief in the form
31 of a temporary restraining order enjoining the Respondents-Defendants from
32 continuing to detain Petitioner-Plaintiff and ordering his release from their custody.

1 Petitioner-Plaintiff also seeks an order enjoining his relocation outside of the
2 Southern District of California, pending further Order of the Court.

3 Petitioner-Plaintiff further moves for the issuance of an order to show cause
4 as to why a preliminary injunction should not issue.

5 This application is supported by the Memorandum of Points and Authorities,
6 accompanying exhibits, as well as any additional submissions that may be
7 considered by the Court.

8
9 Dated: July 28, 2025

Respectfully submitted,

10 s/ Jean Reisz
11 JEAN REISZ
12 USC GOULD SCHOOL OF LAW,
13 IMMIGRATION CLINIC
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15 Los Angeles, CA 90089-0071
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19 Attorney for Petitioner-Plaintiff
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CERTIFICATE OF COUNSEL

Pursuant to Rule 65(b)(1)(B) of the Federal Rules of Civil Procedure, I hereby certify that on July 25, 2025, at 2:20 PM, I emailed Assistant U.S. Attorney Erin Dimbleby to inquire who would be the appropriate person in her office to advise that we intended to file a habeas petition on Monday July 28, 2025 for Mr. Giron Rodas and *ex parte* application for temporary restraining order (“TRO”), ordering the release of Mr. Giron Rodas from ICE detention based on his grave medical condition and Respondent-Defendants’ violation of Mr. Giron Rodas’s due process right to be reasonably safe in ICE custody. I attached a draft of the habeas petition to the email. I also asked Ms. Dimbleby to advise who would be able to provide her office’s position on the *ex parte* TRO application and releasing Mr. Giron Rodas.

On the same day at 12:25 PM I emailed Mary Wiggins, the civil docketing clerk at the U.S. Attorney's Office in San Diego with the same inquiry regarding who I should direct our advance notice and obtain the Respondents' position on the *ex parte* TRO application and releasing Mr. Giron Rodas. I attached a draft of the habeas petition to that email as well.

I received a phone call from Ms. Dimbleby shortly thereafter and we discussed the habeas and *ex parte* TRO application. I agreed to wait until noon on Monday July 28, 2025 before filing the habeas petition and *ex parte* TRO application so that Ms. Dimbleby could make inquiries and ascertain whether there could be a resolution.

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1 On July 28, 2025, at approximately 11:40 AM, I spoke with Ms. Dimbleby
2 on the telephone, and she advised that Respondents-Defendants are not amenable to
3 releasing Mr. Giron Rodas. I advised Ms. Dimbleby that I would be filing the
4 habeas petition and *ex parte* TRO application today. At approximately 1:00PM I
5 provided a copy of the Application for a Temporary Restraining Order, supporting
6 exhibits, Memorandum of Points and Authorities, and Petition for Writ of Habeas
7 Corpus to Ms. Dimbleby and Ms. Wiggins by emailing copies to at
8 Erin.Dimbleby@usdoj.gov and Mary.Wiggins@usdoj.gov.

9
10 Dated: July 28, 2025

Respectfully submitted,

11
12 s/ Jean Reisz
13 JEAN REISZ
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18 Attorney for Petitioner-Plaintiff
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 28, 2025, I served a copy of this Application for TRO and OSC by email to the following individual:

Mary Wiggins
Civil Docketing Clerk
U S Attorney's Office
880 Front Street, Suite 6293, San Diego, CA 92101
Email: Mary.Wiggins@usdoj.gov

Erin Dimbleby
Assistant U.S. Attorney
U S Attorney's Office
880 Front Street, Suite 6293, San Diego, CA 92101
Email: Erin.Dimbleby@usdoj.gov

s/ Jean Reisz

Jean Reisz

Counsel for Petitioner-Plaintiff