1 | Laura Victoria Sanchez (SBN 253736)
CARECEN SF
2 | 3101 Mission Street, Suite 101
San Francisco, CA 94110
3 | Telephone: (415) 642-4402
laura@carecensf.org
4
Attorney for Petitioner
5

6

7

8 | **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
9 | **SAN FRANCISCO DIVISION**

10

11 | Carmen Aracely PABLO SEQUEN,   Case No. 5:25-cv-06487-PCP

12 | Petitioner,

13 | v.   **PETITIONER'S NOTICE OF**
MOTION AND *EX PARTE* MOTION
14 | Polly KAISER, Acting Field Office Director of   **FOR TEMPORARY RESTRAINING**
15 | the San Francisco Immigration and Customs   **ORDER**
Enforcement Office; Todd LYONS, Acting
16 | Director of United States Immigration and
Customs Enforcement; Kristi NOEM, Secretary
17 | of the United States Department of Homeland
Security, Pamela BONDI, Attorney General of
18 | the United States, acting in their official
capacities,
19
        Respondents.
20

21

22

23

24

25

26

27

28

PETITIONER'S NOTICE OF MOTION AND EX PARTE MOTION FOR TEMP. RESTRAINING ORDER
Case No. 5:25-cv-06487-PCP

NOTICE OF MOTION AND MOTION

PLEASE TAKE NOTICE as soon as it may be heard in the United States District Court for the Northern District of California, that Petitioner Carmen Aracely Pablo Sequen will and hereby does move for a temporary restraining order pursuant to Federal Rule of Civil Procedure 65(b) and Civil Local Rule 65. Because Petitioner's detention violates the Due Process Clause of the Fifth Amendment to the United States, 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 prohibit Petitioner's re-detention without 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 (3) enjoining Respondents from transferring Petitioner out of this District or deporting her during the pendency of the underlying proceedings.

This motion is based on this Notice of Motion and Motion, the accompanying Memorandum of Points and Authorities, the supporting Declaration of Laura Sanchez, and the Proposed Order; 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. This motion is also supported by the Petition for Writ of Habeas Corpus (ECF No. 1) and the exhibits attached thereto.

Consistent with Civil L.R. 65-1, Petitioner seeks relief at the earliest possible opportunity. Petitioner is filing this motion the same day as she filed her Petition for Writ of Habeas Corpus.

Pursuant to Civil L.R. 65-1(a)(5), and as detailed further in the supporting Declaration of Laura Sanchez, Counsel for Petitioner provided Counsel for Respondents with notice of this Motion and advised Respondents of the emergency reasons requiring Petitioner to seek an *ex parte* application for a temporary restraining order. Counsel for Petitioner and Counsel for Respondents communicated by email regarding the habeas petition, and Counsel for Petitioner emailed a copy of the filed petition to Counsel for Respondents. Counsel for Petitioner advised

1 | Counsel for Respondents that a Motion for TRO would be forthcoming. Counsel for Petitioner
2 | will email Counsel for Respondents a copy of the Memorandum of Points and Authorities
3 | immediately after filing it. As of this filing, Respondents have not stipulated to a TRO.

4

5 | Date: August 1, 2025

Respectfully Submitted,

6 | /s/ Laura Victoria Sanchez
Laura Victoria Sanchez (SBN 253736)
7 | laura@carecensf.org
CARECEN SF
8 | 3101 Mission Street, Suite 101
San Francisco, CA 94110
9 | Telephone: (415) 642-4402

10 | *Attorney for Petitioner*

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

26

27

28