

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

Jordan Wells (SBN 326491)

jwells@lccrsf.org

131 Steuart Street # 400

San Francisco, CA 94105

Telephone: 415 543 9444

*Attorney for Petitioner*

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

Maria Elena Ruiz Otero, as next friend on behalf  
of Ismael David Caicedo Ruiz,

Petitioner-Plaintiff,

v.

Polly KAISER, Acting Field Office Director of  
the San Francisco Immigration and Customs  
Enforcement Office;  
Todd LYONS, Acting Director of United States  
Immigration and Customs Enforcement;  
Kristi NOEM, Secretary of the United States  
Department of Homeland Security; and  
Pamela BONDI, Attorney General of the United  
States, acting in their official capacities;

Respondents.

Case No. 25-cv-06536

**PETITIONER-PLAINTIFF'S NOTICE  
OF MOTION AND *EX PARTE*  
MOTION FOR TEMPORARY  
RESTRAINING ORDER**

**NOTICE OF MOTION AND MOTION**

PLEASE TAKE NOTICE as soon as it may be heard in the United States District Court for Northern District of California, that Petitioner-Plaintiff Maria Elena Ruiz Otero, as next friend on behalf of Ismael David Caicedo Ruiz, will and hereby does move for a temporary restraining order pursuant to Federal Rule of Civil Procedure 65(b). Because Ismael's detention violates the Due Process Clause of the Fifth Amendment to the United States, Petitioner respectfully requests that this Court (1) order Ismael's immediate release from Respondents' custody pending these proceedings, without requiring bond or electronic monitoring, or, in the alternative, (2) order Ismael'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 he is a danger or a flight risk. To preserve this Court's jurisdiction, Petitioner further seeks an immediate order (3) enjoining Respondents from transferring Ismael out of this District or deporting him 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 Petition/Complaint filed in this case; 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. Consistent with Civil L.R. 65-1, Petitioner seeks relief at the earliest possible opportunity. Pursuant to Civil L.R. 65-1(a)(5), and as detailed further in the supporting Declaration of Jordan Wells, Counsel for Petitioner notified Counsel for Respondents of this forthcoming Motion and advised Respondents that it would seek Ismael's.

/

/

/

/

/

1 Date: August 3, 2025

Respectfully Submitted,

2 /s/ Jordan Wells

3 Jordan Wells (SBN 326491)  
4 LAWYERS' COMMITTEE FOR CIVIL  
5 RIGHTS OF THE SAN FRANCISCO BAY  
6 AREA

7 jwells@lccrsf.org  
8 131 Steuart Street # 400  
9 San Francisco, CA 94105  
10 Telephone: 415 543 9444

11 *Attorney for Petitioner*