

1 Nikolas De Bremaeker (FL Bar 98372)  
2 PRO HAC VICE  
3 ndebremaeker@centrolegal.org  
4 CENTRO LEGAL DE LA RAZA  
5 3400 E. 12th Street  
6 Oakland, CA 94601  
7 Telephone: (510) 269-1255

8 Abby Sullivan Engen (SBN 270698)  
9 asullivanengen@centrolegal.org  
10 CENTRO LEGAL DE LA RAZA  
11 3400 E. 12th Street  
12 Oakland, CA 94601  
13 Telephone: (510) 244-4312

14 *Attorney for Petitioner*

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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**Carolina ORTIZ CALDERON,**

Petitioner,

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, PAMELA BONDI,  
Attorney General of the United States, acting in  
their official capacities,

Respondents.

Case No. 3:25-cv-6695

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

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**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 Ortiz Calderon will and hereby does move for a temporary restraining order pursuant to Federal Rule of Civil Procedure 65(b) and Civil Local Rule 65.1. Because Petitioner's detention—at an unknown location as of the filing of this motion—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, 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 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 Declarations of Tatiana Ortiz Calderon and Nelson Perez, and Petitioner's counsel Nikolas De Bremaeker; 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).

Consistent with Civil L.R. 65-1, Petitioner seeks relief at the earliest possible opportunity. Petitioner is filing this motion together with 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 Nikolas De Bremaeker, Co-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 emailed a copy of the filed petition and Motion for TRO to Counsel for Respondents; Counsel for Petitioner left a voicemail for Counsel for Respondents late at night before this TRO filing; Counsel for Petitioner emailed Counsel for Respondents a copy of the Memorandum of Points and Authorities shortly before filing it; and in these communications Counsel

1 for Petitioner emphasized Petitioner's medical conditions. As of this filing, Respondents have not  
2 stipulated to a TRO or otherwise responded to Counsel for Petitioner's communications.

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4 Date: August 7, 2025

Respectfully submitted,

5 /s/ Nikolas De Bremaeker

6 Nikolas De Bremaeker (FL Bar 98372)

7 PRO HAC VICE

CENTRO LEGAL DE LA RAZA

8 /s/ Abby Sullivan Engen

9 Abby Sullivan Engen (SBN 270698)

10 CENTRO LEGAL DE LA RAZA

11 *Attorneys for Petitioner*  
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