

1 Kate Lewis (SBN 327952)
2 Community Legal Services in East Palo Alto
3 1861 Bay Road
4 East Palo Alto, CA 94303
5 Phone: (650) 422-2889
6 Fax: (866) 688-5204

7 *Attorney for Petitioner*

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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION**

Alexander Mauricio MARTINEZ-
HERNANDEZ,

Petitioner,

v.

TONYA ANDREWS, Facility Administrator of
Golden State Annex Detention Facility; 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. 1:25-CV-01035-JLT-HBK

**PETITIONER'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 Eastern District of California, that Petitioner Alexander Mauricio Martinez Hernandez will and hereby does move for a temporary restraining order pursuant to Federal Rule of Civil Procedure 65(b) and Civil Local Rule 231. Because Petitioner's detention at Golden State Annex Detention Center 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 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 supporting Declarations of Petitioner Alexander Mauricio Martinez Hernandez, Martha Ruch, and Kate Lewis (and attached exhibits), a TRO checklist, and the Proposed Order filed herewith; 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. 231(b), Petitioner seeks relief at the earliest possible opportunity. Petitioner is filing this motion within a week after he filed his Petition for Writ of Habeas Corpus.

Pursuant to Civil L.R. 142 and 231(c)(5), and as detailed further in the supporting Declaration of Kate Lewis, counsel for Petitioner has communicated with counsel for Respondents about her intent to file this motion.

Date: August 22, 2025

Respectfully submitted,

/s/ Kate Lewis

Kate Lewis (SBN 327952)
Community Legal Services in East Palo Alto
Attorney for Petitioner