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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ARIZONA
PHOENIX DIVISION**

BO LI,

Plaintiff,

v.

JOHN E. CANTÚ, Field Office Director of
the Phoenix 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.

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

Date Filed: August 18, 2025

NOTICE OF MOTION AND MOTION

PLEASE TAKE NOTICE as soon as it may be heard in the United States District Court
for the District of Arizona, that Petitioner Bo Li 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—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

1 proceedings, without requiring bond or electronic monitoring, or, in the alternative, (2)
2 order Petitioner's immediate release from Respondents' custody and, within 14 days,
3 order a pre-deprivation bond hearing before the Immigration Court, where Respondents
4 shall bear the burden of proof to show, by clear and convincing evidence, that Petitioner
5 is a danger or a flight risk. To preserve this Court's jurisdiction, Petitioner further seeks
6 an order enjoining Respondents from transferring Petitioner out of this District or
7 deporting her during the pendency of the underlying proceedings.

8 This motion is based on this Notice of Motion and Motion; the forthcoming
9 Memorandum of Points and Authorities; the supporting Declarations of Counsel and
10 supporting evidence; and any other written or oral evidence or argument as may be
11 presented at or before the time this motion is heard by the Court. This motion is also
12 supported by the Petition for Writ of Habeas Corpus (ECF No. 1). Consistent with Civil
13 L.R. 65-1, Petitioner seeks relief at the earliest possible opportunity. Petitioner is filing
14 this motion on the same day that he filed his Petition for Writ of Habeas Corpus.

15 Pursuant to Civil L.R. 65-1(a)(5), and as detailed further in the supporting
16 Declaration of Ben Loveman, Counsel for Petitioner provided Counsel for Respondents
17 with notice of this Motion and advised Respondents of the emergency reasons requiring
18 Petitioner to seek an *ex parte* application for a temporary restraining order. Counsel for
19 Petitioner and Counsel for Respondents spoke by telephone and discussed the habeas
20 petition and Counsel for Petitioner emailed a copy of the filed petition to Counsel for
21 Respondents; Counsel for Petitioner advised Counsel for Respondents that a Motion for
22 TRO would be forthcoming; Counsel for Petitioner will email Counsel for Respondents a
23 copy of the Memorandum of Points and Authorities shortly before filing it. As of this
24 filing, Respondents have not stipulated to a TRO or otherwise responded to Counsel for
25 Petitioner's communications following the brief phone call on August 18, 2025

26
27 Respectfully submitted this 18th Day of August 2025,

28 /s/ Ben Loveman

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