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14 *Attorneys for Petitioners*

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

GERARDO ROMAN VALENCIA ZAPATA,  
DAVID RAFAEL COLON SOLANO, KEYMARIS  
ALVAREZ MIRANDA, GABRIELA ALONDRA  
VARGAS PLASENCIA

Petitioners,

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 07492

**PETITIONERS' 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 Petitioners Gerardo Roman Valencia Zapata, David Rafael Colon Solano, Keymaris Alvarez Miranda, and Gabriela Alondra Vargas Plasencia will and hereby do move for a temporary restraining order pursuant to Federal Rule of Civil Procedure 65(b) and Civil Local Rule 65.1. Because Petitioners' 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 Petitioners' immediate release from Respondents' custody pending these proceedings, without requiring bond or electronic monitoring, or, in the alternative, (2) order Petitioners' 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 Petitioners are a danger or a flight risk. To preserve this Court's jurisdiction, Petitioners further seek an order (3) enjoining Respondents from transferring Petitioners out of this District or deporting them 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 Sandra Guzman, and Petitioners' counsel Nikolas De Bremaeker and Alyosha Maggin; 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. 2).

Consistent with Civil L.R. 65-1, Petitioners seek relief at the earliest possible opportunity. Petitioners are 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 Petitioners provided Counsel for Respondents with notice of this Motion. Counsel for Petitioners emailed a copy of the filed petition and Motion for TRO to Counsel for Respondents; Counsel for Petitioners left a voicemail for Counsel for Respondent before this TRO filing; and Counsel for Petitioners emailed Counsel for Respondents a copy of the Memorandum of Points and

1 Authorities shortly before filing it. As of this filing, Respondents have not stipulated to a TRO or  
2 otherwise responded to Counsel for Petitioners' communications.

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4 Date: September 4, 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/ Alyosha Maggin

9 Alyosha Maggin (SBN 359420)

CENTRO LEGAL DE LA RAZA

10 *Attorneys for Petitioners*  
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