

1 Talia Housman (SBN 360341)
2 thousman@sfbar.org
3 The Justice and Diversity Center
4 50 Fremont St., Ste. 1700
5 San Francisco, CA 94105
6 Telephone: (415)539-9792

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8 *Attorney for Petitioners*

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

JENIFER OROZCO ACOSTA,
Petitioners,
v.
SERGIO ALBARRAN et al.,
Respondents.

CASE NO. 3:25-cv-09601

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

NOTICE OF MOTION AND MOTION

2 PLEASE TAKE NOTICE as soon as it may be heard in the United States District Court
3 for the Northern District of California, that Petitioner Jenifer Orozco Acosta will and hereby does
4 move for a temporary restraining order pursuant to Federal Rule of Civil Procedure 65(b) and Civil
5 Local Rule 65-1. Because Petitioner's detention violates the Due Process Clause of the Fifth
6 Amendment to the United States, Petitioner respectfully request that this Court (1) order
7 Petitioner's immediate release from Respondents' custody pending these proceedings, without
8 requiring bond or electronic monitoring, or, in the alternative, (2) order Petitioner's immediate
9 release from Respondents' custody and, within 14 days, order a pre-deprivation bond hearing
10 before the San Francisco Immigration Court, where Respondents shall bear the burden of proof to
11 show, by clear and convincing evidence, that Petitioner is a danger or a flight risk. In order to
12 preserve this Court's jurisdiction, Petitioner further seeks an order enjoining Respondents from
13 transferring Petitioner out of this District or deporting her during the pendency of the underlying
14 proceedings.

15 This motion is based on this Notice of Motion and Motion; the accompanying
16 Memorandum of Points and Authorities; the supporting declarations, the papers, evidence, and
17 records on file in this action; and any other written or oral evidence or argument as may be
18 presented at or before the time this motion is heard by the Court. This motion is also supported by
19 the Petition for Writ of Habeas Corpus (ECF No. 1).

20 Consistent with Civil L.R. 65-1, Petitioner seeks relief at the earliest possible opportunity.
21 Petitioner is filing this motion the same day she filed her Petition for Writ of Habeas Corpus.

22 Pursuant to Civil L.R. 65-1(a)(5), and as detailed further in the Declaration of Talia
23 Housman, Counsel for Petitioner emailed a copy of the filed petition to Counsel for Respondents
24 and advised that a Motion for TRO would be forthcoming. Petitioner also will send Counsel for
25 Respondents a copy of the Memorandum of Points and Authorities shortly after filing it. As of this
26 filing, Respondents have not stipulated to a TRO.

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2 Date: November 6, 2025

Respectfully Submitted,

3 /s/ Talia Housman
4 Talia Housman (SBN 360341)
5 thousman@sfbar.org
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8 San Francisco, CA 94105
9 Telephone: (415)539-9792

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11 *Attorney for Petitioner*
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