

1 JONATHAN ABEL (CA SBN #293086), Designated  
2 Counsel for Service  
3 Professor of Law  
4 U.C. Law San Francisco, Immigrants' Rights Clinic  
5 200 McAllister Street, Rm. 342-200  
6 San Francisco, CA 94102  
7 Telephone: 617-548-6230  
8 Facsimile: 415-712-0228  
9 Email: [abeljonathan@uclawsf.edu](mailto:abeljonathan@uclawsf.edu)  
10 Pro Bono Attorney for Petitioner

**6 | Pro Bono Attorney for Petitioner**

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ROSALINDA AYRA LEANDRO,  
Petitioner,  
v.  
SERGIO ALBARRAN et al.,  
Respondents.

CASE NO. 3:25-cv-10042

**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 Rosalinda Ayra Leandro will and hereby  
4 does move for a temporary restraining order pursuant to Federal Rule of Civil Procedure 65(b) and  
5 Civil Local Rule 65-1. Because Petitioner's detention violates the Due Process Clause of the Fifth  
6 Amendment to the United States, Petitioner respectfully requests 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 Petitioners are a danger or a flight risk. To preserve  
12 this Court's jurisdiction, Petitioner further seek an order enjoining Respondents from transferring  
13 Petitioner out of this District or deporting them during the pendency of the underlying proceedings.

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

19 Consistent with Civil L.R. 65-1, Petitioner seek relief at the earliest possible opportunity.  
20 Petitioners are filing this motion the same day they filed their Petition for Writ of Habeas Corpus.

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

1 Date: November 20, 2025

Respectfully Submitted,

2 /s/ Jonathan Abel

3 Jonathan Abel (SBN 293086)  
4 U.C. Law San Francisco, Immigrants' Rights  
5 Clinic  
6 200 McAllister Street, Rm. 342-200  
7 San Francisco, CA 94102  
8 Telephone: 617-548-6230  
9 Facsimile: 415-712-0228  
10 Email: [abeljonathan@uclawsf.edu](mailto:abeljonathan@uclawsf.edu)

11 *Attorney for Petitioner*