

1 Sarah Gavigan (SBN 294781)  
sarah@carecensf.org  
2 Tala Hartsough (SBN 230204)  
tala@carecensf.org  
3 CARECEN SF  
3101 Mission Street, Suite 101  
4 San Francisco, CA 94110  
Telephone: (415) 642-4407  
5

6 *Counsel for Petitioner*  
7  
8

9 **UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**  
10

11  
12 KARINA ALEJANDRA GARCIA MARIAGUA,  
13 Petitioner,  
14 v.  
15 CHRISTOPHER CHESTNUT, ET AL.,  
16 Respondents.  
17

Case No. 1:25-CV-1744-DJC-CKD

**PETITIONER'S REPLY TO RESPONDENTS'  
OPPOSITION TO MOTION FOR  
PRELIMINARY INJUNCTION**

1 As acknowledged by Respondents in their Opposition to Motion for Preliminary  
2 Injunction (ECF 15), the standard for issuing a temporary restraining order is “substantially  
3 identical” to the standard for issuing a preliminary injunction. *See Stuhlberg Int’l Sales Co. v.*  
4 *John D. Brish & Co.*, 240 F.3d 832, 839 n.7 (9th Cir. 2001); *Facebook, Inc. v. BrandTotal Ltd.*, 499  
5 F.Supp.3d 720, 732 (N.D.Cal. 2020). Respondents have not raised any new issues requiring a  
6 preliminary injunction to be decided differently.  
7

8 For the foregoing reasons, this Court should convert Petitioner’s temporary restraining  
9 order to a preliminary injunction on the same terms as the TRO previously granted.<sup>1</sup>  
10

11  
12 Date: January 12, 2026

Respectfully Submitted,

13 /s/ Tala Hartsough  
14 Tala Hartsough (SBN 230204)  
15 CARECEN SF  
16 *Counsel for Petitioner*  
17  
18  
19  
20  
21  
22  
23  
24

25 <sup>1</sup> In the TRO the Court ordered that “Respondents shall not impose any additional restrictions on her, ....” (ECF No.  
26 11). Respondents (ICE-ERO) have said they are considering placing an ankle monitor on Petitioner at her upcoming  
27 ICE check in on January 20, 2026. See attached as Exhibit A, Declaration of Sarah Gavigan in Support of Petitioner’s  
28 Reply to Respondents’ Opposition. Petitioner seeks to clarify that placement of an ankle monitor would constitute  
an additional restriction on her. Given that Ms. Garcia Mariagua is required to return to ICE on January 20<sup>th</sup> at  
which time Respondents may try to impose an ankle monitor, it would conserve Department of Homeland Security  
resources to clarify this issue now in advance of the appointment.