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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

Jorge Arturo ARMENTA-ROSALES;
Cuberto CHAVEZ ABARCA;
Orlando SEGURA ERAZO; Mario
Ignacio MONTES ROCHA; Marcos
Antonio PINEDA; Rodolfo
VILLANUEVA-CONTRERAS,

Petitioners,

v.

Kristi NOEM, Secretary, U.S. Dept. of
Homeland Security; Pamela BONDI,
U.S. Attorney General; Todd LYONS,
Acting Director, Immigration and
Customs Enforcement; Gregory J.
ARCHAMBEAULT, Director, ICE
San Diego Field Office; Jeremy
CASEY, Warden, Imperial Regional
Detention Facility; Christopher J.
LAROSE, Warden, Otay Mesa
Detention Center; EXECUTIVE
OFFICE FOR IMMIGRATION
REVIEW; IMMIGRATION AND
CUSTOMS ENFORCEMENT; and
U.S. DEPARTMENT OF
HOMELAND SECURITY,

Respondents

Case No. '25CV3505 DMS BLM

**PETITIONERS' EX PARTE
APPLICATION FOR
TEMPORARY RESTRAINING
ORDER AND ORDER TO SHOW
CAUSE**

1 Pursuant to Rule 65(b)(1) of the Federal Rules of Civil Procedure and CivLR
2 83.3(g)(2), Petitioners, as members of the *Maldonado Bautista* Bond Eligible Class
3 (*Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d -
4 ---, 2025 WL 3288403 (C.D. Cal. Nov. 25, 2025)), hereby move the Court for
5 emergency relief in the form of:
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- 8 1) a temporary restraining order directing Respondents to release Petitioners
9 from their custody within one day of issuance of an Order or to provide
10 Petitioners with individualized bond hearings before an immigration judge
11 pursuant to 8 U.S.C. § 1226(a) within seven days of issuance of an Order;
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 - 13 2) to preserve this Court’s jurisdiction, Petitioners further seek an order
14 enjoining Respondents from transferring Petitioners out of this District
15 pending final resolution of this case; and
16
 - 17 3) issuance of an order to show cause as to why a preliminary injunction
18 should not issue.
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20 Petitioners seek this emergency relief because their continued detention
21 without a bond hearing is depriving Petitioners of statutory and constitutional rights
22 and is causing immediate and irreparable injury in the form of the unlawful
23 deprivation of their liberty. *See, e.g., Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th
24 Cir. 2012) (citation modified) (It “is well established that the deprivation of
25 constitutional rights unquestionably constitutes irreparable injury.”).
26
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28 While Petitioners have now been detained between sixty-three and one

1 hundred fifty-seven days, Petitioners have moved as expeditiously as possible to
2 seek this emergency relief. Prior to the filing of this petition for writ of habeas
3 corpus with the accompanying TRO Application, Petitioners have not been able to
4 secure legal representation. The USC Gould School of Law Immigration Clinic is
5 providing pro bono representation to Petitioners and is one of a limited number of
6 legal service organizations able to provide pro bono representation in federal court
7 for detained noncitizens. Since July 2025, the USC Immigration Clinic has
8 received over three hundred requests for representation in connection with habeas
9 petitions from noncitizens detained in the eight main ICE detention facilities in
10 California. Since July 2025, the USC Immigration Clinic has filed habeas petitions
11 in the Eastern, Central, and Southern Districts of California on behalf of
12 approximately one hundred ten petitioners.

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17 This application is supported by the Memorandum of Points and Authorities,
18 accompanying exhibits, as well as any additional submissions that may be
19 considered by the Court.
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1 As described in the Declaration of Counsel below, counsel for Respondents
2 has been provided with advance notice of this filing. Respondents oppose this TRO
3 Application.
4

5 Dated: December 10, 2025

Respectfully submitted,

6
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Attorneys for Petitioners

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CivLR 83.3(g)(2) DECLARATION OF COUNSEL

Pursuant to Rule 65(b)(1)(B) of the Federal Rules of Civil Procedure and CivLR 83.3(g)(2), I hereby certify that on Monday, December 8, 2025 at approximately 10:00 PM, I emailed Ms. Janet Cabral, Chief, Civil Division, U.S. Attorney’s Office, Southern District of California and informed her that my office was preparing to file this ex parte application for TRO on Wednesday, December 10, 2025. Ms. Cabral responded to me on December 9th, acknowledged my email, and indicated that the government did not believe there was a final declaratory judgment in place with preclusive effect for putative class members.

I will provide a copy of the Application for a Temporary Restraining Order, Memorandum of Points and Authorities, Supporting Exhibits, and Petition for Writ of Habeas Corpus to Ms. Cabral immediately after the pleadings are filed via ECF.

Dated: December 10, 2025

Respectfully submitted,

s/ Niels W. Frenzen
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