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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION

C.S.M., a minor, by and through M.P.S.M., as Next Friend of Minor,

Petitioners,

v.

RUBY HERNANDEZ, Federal Field Specialist, Office of Refugee Resettlement; NIKY HYMEL, Federal Field Specialist Supervisor, Office of Refugee Resettlement; ANDREW GRADISON, Assistant Secretary of the Administration of Children and Families; ANGIE SALAZAR, Acting Director of the Office of Refugee Resettlement; and ROBERT F. KENNEDY, Secretary of the U.S. Department of Health and Human Services,

Respondents.

No. **5:26-CV-01144**

PETITIONER'S NOTICE OF MOTION FOR TEMPORARY RESTRAINING ORDER

PETITIONERS' NOTICE OF MOTION FOR TEMPORARY RESTRAINING ORDER

PLEASE TAKE NOTICE as soon as it may be heard in the United States District Court for the Central District of California, that Petitioner, minor C.S.M., by and through her Next Friend M.P.S.M., will and hereby do, move this Court for a temporary restraining order (TRO) pursuant to Federal Rule of Civil Procedure 65(a) and Local Rule 65-1.

The reasons in support of this Motion are set forth in the accompanying Memorandum of Points and Authorities. This Motion is based on the Petition for Writ of Habeas Corpus [DKT 1], Declaration of Next Friend, M.P.S.M. (Attached in support of Petition for Writ of Habeas Corpus [DKT 1-1], and the attached Declaration of Stephanie Periban Palacios [DKT 2-2], in Support of Motion for Temporary Restraining Order. As set forth in the Points and Authorities in support of this Motion, C.S.M. argue that their continued unlawful detention in the custody of the Office of Refugee Resettlement (ORR), despite the availability of her sister, M.P.S.M., to assume her custody and care, violates her weighty liberty interest under the Due Process Clause of the Fifth Amendment and the Trafficking Victims Protection Reauthorization Act (TVPRA). As further outlined in the accompanying Points and Authorities, both the balance of the equities and the public interest respecting the relief sought by C.S.M. tilts sharply in her favor.

Accordingly, Petitioner moves this Court to:

1. Declare Petitioner's continued detention in the custody of the Office of Refugee Resettlement is unlawful under the Trafficking Victims Protection Reauthorization Act, 8 U.S.C. § 1232, together with its implementing regulations, including 45 C.F.R. Part 410, and the Due Process Clause of the Fifth Amendment to the United States Constitution;

2. Order Petitioner's immediate release from Respondents' custody into her sister's care; and

3. Enjoin Respondents from transferring Petitioner outside of the Central District of California while the above-captioned litigation is pending.

As explained in the concurrently filed Declaration of Petitioner's counsel, Stephanie Periban Palacios [DKT 2-2], this ex parte application is made with notice, pursuant to Local Rule 7-19.1, to Assistant United States Attorney Daniel Adam Beck. AUSA Beck is located at U.S. Attorney's Office, 300 North Los Angeles Street, Los Angeles, CA 90012. His telephone number is: (213) 894-2574. His fax number is: (213) 894-7819. And his email is daniel.beck@usdoj.gov. AUSA Beck did not answer when called. Undersigned counsel left a voicemail informing him of the forthcoming Petition and Motion for TRO. Copies of the instant filings will be provided to him via email accordingly. (Declaration of Stephanie Periban Palacios, DKT 2-2 ¶¶ 6).

A proposed order has been provided to the Court.

Dated: March 11, 2026

Respectfully Submitted,
/s/Stephanie Periban Palacios
Stephanie Periban Palacios
Attorney for Petitioner