

1 Robert B. Jobe (State Bar # 133089)  
LAW OFFICE OF ROBERT B. JOBE  
2 100 Bush Street, Suite 1300  
San Francisco, CA 94104  
3 Phone: 415-956-5513  
4 Email: [federal@jobelaw.com](mailto:federal@jobelaw.com)

5 *Attorney for Petitioner*

6  
7 **UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**  
8

9  
10 TARANJEET KAUR (A 221-419-546), )  
 )  
11 Petitioner, )  
 )  
12 v. )  
 )  
13 )  
 )  
14 CHRISTOPHER J. LaROSE, Senior Warden, )  
Otay Mesa Detention Center, in his official capacity,) )  
15 )  
16 Respondents. )  
 )  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Case No. '26CV2070 AGS DDL

**EX PARTE MOTION FOR  
TEMPORARY RESTRAINING  
ORDER**

1 Petitioner Taranjeet Kaur, by and through undersigned counsel, hereby moves this Court  
2 ex parte pursuant to Federal Rule of Civil Procedure 65(b) for a Temporary Restraining Order  
3 preventing Respondent Christopher J. LaRose, Senior Warden, Otay Mesa Detention Center, and  
4 all persons acting in active concert or participation with Respondent, from removing Petitioner  
5 from the United States or transferring her outside the jurisdiction of this Court, pending  
6 adjudication of the accompanying Petition for Writ of Habeas Corpus.  
7

8 **I. BASIS FOR EX PARTE RELIEF**

9 Ex parte relief is warranted under Rule 65(b)(1)(A) because Petitioner will suffer  
10 immediate and irreparable injury if Respondent removes her from the United States before this  
11 Court has the opportunity to adjudicate her habeas petition. Removal would permanently divest  
12 this Court of jurisdiction and render Ms. Kaur's habeas claims moot and wholly unreviewable.  
13 That injury is complete and final the moment she boards a plane.  
14

15 Ex parte relief is further warranted because Ms. Kaur's case is at the BIA stage with no  
16 confirmed removal date, but Respondent retains the practical ability to effectuate removal at any  
17 time upon a final order, and has previously demonstrated the capacity to effectuate removal  
18 without prior notice to counsel. Providing advance notice of this motion to Respondent would  
19 further endanger the very relief sought by alerting Respondent to the imminence of judicial  
20 review and creating an incentive to accelerate removal proceedings. *See Fed. R. Civ. P.*  
21 *65(b)(1)(B).*  
22

23 **II. GROUNDS FOR RELIEF**

24 As fully set forth in the accompanying Memorandum of Points and Authorities in  
25 Support of Petition for Writ of Habeas Corpus and Emergency Motion for Temporary  
26 Restraining Order, Petitioner satisfies all four factors for issuance of a TRO under *Winter v.*  
27 *NRDC*, 555 U.S. 7, 20 (2008):  
28

1 (1) **Likelihood of Success on the Merits.** Ms. Kaur is likely to prevail on her claim that  
2 8 U.S.C. § 1226(a)—not § 1225(b)(1)(B)(ii)—governs her detention once she was referred to §  
3 1229a proceedings following a positive credible fear determination, and that eight months of  
4 imprisonment without a bond hearing violates the Due Process Clause of the Fifth Amendment.

5 (2) **Irreparable Harm.** Removal from the United States would moot this proceeding  
6 entirely, deprive Petitioner of her pending BIA appeal, and expose her to the very harm from  
7 which she sought asylum—all of which are irreversible injuries. The deprivation of  
8 constitutional rights itself constitutes irreparable harm. *Melendres v. Arpaio*, 695 F.3d 990, 1002  
9 (9th Cir. 2012).

10 (3) **Balance of Equities.** The government suffers no cognizable harm from maintaining  
11 the status quo during the brief period needed to adjudicate this habeas petition. The balance of  
12 equities overwhelmingly favors Petitioner.

13 (4) **Public Interest.** Federal courts and the public have a critical stake in ensuring that  
14 the government complies with the Constitution before removing individuals from the United  
15 States and in preserving the efficacy of habeas corpus as a check on unlawful executive  
16 detention.  
17  
18

19 **III. SUPPORTING PAPERS**

20 This motion is supported by:

- 21 1. The accompanying Petition for Writ of Habeas Corpus;
  - 22 2. The Memorandum of Points and Authorities in Support of Petition for Writ of Habeas  
23 Corpus and Emergency Motion for Temporary Restraining Order;
  - 24 3. The Declaration of Taranjeet Kaur in Support of Petition for Writ of Habeas Corpus  
25 and Emergency Motion for Temporary Restraining Order; and
  - 26 4. All records and files in this action.
- 27

28 **IV. RELIEF REQUESTED**

1 Petitioner respectfully requests that this Court: (1) immediately issue an ex parte  
2 Temporary Restraining Order preventing Respondent from removing Petitioner Taranjeet Kaur  
3 (A# 221-419-546) from the United States or transferring her outside the Southern District of  
4 California until further order of this Court; (2) issue an Order to Show Cause requiring  
5 Respondent to appear and show cause why a Preliminary Injunction should not issue maintaining  
6 such relief pending adjudication of this Petition; and (3) set this matter for an expedited hearing  
7 at the Court's earliest convenience.  
8

9 Date: April 1, 2026

Respectfully submitted,

10 LAW OFFICE OF ROBERT B. JOBE

11 /s/ Robert B. Jobe

12 Robert B. Jobe (State Bar # 133089)

13 100 Bush Street, Suite 1300

14 San Francisco, CA, 94104

415-956-5513

federal@jobelaw.com

15 Attorney for Petitioner  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28