UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

J.E.S.R., a minor; by and through Erica Santamaria, as Next Friend of Minor

Petitioner,

v.

ROBERT F. KENNEDY, JR., Secretary of the U.S. Department of Health and Human Services; ANGIE SALAZAR, Acting Director of the Office of Refugee Resettlement; ALEX J. ADAMS, Assistant Secretary of the Administration for Children and Families; ANTONIO GONZALEZ, Federal Field Specialist Supervisor, Office of Refugee Resettlement; and JESSICA FUENTES-VELA, Federal Field Specialist, Office of Refugee Resettlement,

Respondents.

Case No. 2:26-cv-13220

PETITIONER'S NOTICE OF EX PARTE MOTION FOR A TEMPORARY RESTRAINING ORDER

PLEASE TAKE NOTICE as soon as Petitioner, minor J.E.S.R., by and through his Next Friend Erica Santamaria, may be heard in the United States District Court for the Central District of California, that Petitioner will, and hereby does, move this Court for a temporary restraining order ("TRO") pursuant to Federal Rule of Civil Procedure 65(b) and Local Rule 65-1.

The grounds for this Motion are set forth in the accompanying Memorandum of Points and Authorities. This Motion is based on the Verified Petition for Writ of Habeas Corpus (ECF No. 1), Declaration of Next Friend Erica Santamaria, and November 12, 2026 Declaration of Nick Bourland in Support of Petitioner's Motion for a Temporary Restraining Order.

As set forth in the Memorandum in support of this Motion, J.E.S.R.'s

continued unlawful detention in the custody of the Office of Refugee Resettlement ("ORR"), despite the availability of his grandfather, J.D.J.S., to assume his custody and care, violates his 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 Memorandum, both the balance of the equities and the public interest respecting the relief sought by J.E.S.R. tilt sharply in his 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 TVPRA, 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 his grandfather J.D.J.S.'s care;

3. Enjoin Respondents from re-detaining Petitioner absent sufficient process, including notice to Petitioner and his counsel appearing in this action, and a meaningful opportunity to be heard, consistent with statutory and constitutional requirements; and

4. Enjoin Respondents from transferring Petitioner outside of the Central District of California during the pendency of this proceeding.

As detailed in the concurrently filed November 12, 2026 Declaration of Petitioner's counsel, Nick Bourland, 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 the United States Attorney's Office for the Central District of California, 300 North Los Angeles Street, Los Angeles, CA 90012. His telephone number is (213) 894-2574 and his email is daniel.beck@usdoj.gov. On

November 11, 2026, undersigned counsel left a voicemail for the United States Attorney's Office, providing notice of the forthcoming Petition and Motion for a TRO. The morning of November 12, 2026, undersigned counsel emailed a copy of the Verified Habeas Petition and all TRO papers to Mr. Beck's email address and to USACAC.ImmHabeas@usdoj.gov. Copies of the instant filings will be provided to him via email accordingly.

A Proposed Order Granting Petitioner's Motion for a Temporary Restraining Order has been provided to the Court.

Dated: November 12, 2026

Nick Bourland (SBN 354674)
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