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

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Adrian RODRIGUEZ ALCANTARA, et. al.,

Case No. '20CV0756 GPC AHG

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Plaintiff-Petitioners,

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v.

**PLAINTIFF-PETITIONERS’  
EMERGENCY EX PARTE  
MOTION FOR SUBCLASS-  
WIDE EMERGENCY  
TEMPORARY  
RESTRAINING ORDER,  
PRELIMINARY INJUCTION  
AND WRIT OF HABEAS  
CORPUS**

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GREGORY J. ARCHAMBEAULT, San  
Diego Field Office Director, Immigration  
and Customs Enforcement, et. al.,

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Defendant-Respondents.

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Date: TBD  
Time: TBD  
Courtroom: TBD  
Judge: TBD

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TO ALL PARTIES AND THEIR COUNSEL OF RECORD:

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Due to the urgent and imminent threat to the safety and lives of civil immigration detainees held captive in the Otay Mesa Detention Center (“Otay Mesa”) in the midst of an outbreak of the Coronavirus Disease 2019 (“COVID-19”), Plaintiff-Petitioners hereby move this Court ex parte for an emergency temporary restraining order and writ of habeas corpus to secure the immediate release of all medically vulnerable detainees in the facility. Specifically, Plaintiff-Petitioners respectfully request that the Court provisionally certify a class of civil immigration detainees at Otay Mesa and a subclass of medically vulnerable detainees in Otay Mesa and issue a classwide temporary restraining order directing Defendant-

1 Respondents to immediately refrain from maintaining in custody and release from  
2 Otay Mesa all subclass members, defined as follows:

3 All civil immigration detainees incarcerated at the Otay Mesa Detention  
4 Center who are age 45 or over or who have medical conditions that place  
5 them at heightened risk of severe illness or death from COVID-19.

6 Subclass members’ age and underlying medical conditions and the conditions  
7 under which they are confined place them at heightened risk of serious illness or  
8 death from contracting the Coronavirus Disease 2019 (“COVID-19”), in violation of  
9 their Due Process rights under the Fifth Amendment to the Constitution.

10 Plaintiff-Petitioners’ Motion is based on this Motion; the concurrently-filed  
11 accompanying Memorandum of Points and Authorities and declarations and  
12 supporting documents attached thereto; on all papers, pleadings, records, and files in  
13 this case, including the concurrently filed Motion for Class Certification; on all  
14 matters of which judicial notice may be taken; and on such other argument and/or  
15 evidence as may be presented to the Court at a hearing on this motion.

16 Due to the urgency of this matter, as explained in the accompanying  
17 Memorandum of Points and Authorities and the Declaration of Monika Langarica  
18 attached thereto, Plaintiff-Petitioners have not yet informed Defendant-Respondents  
19 of this motion. CivLR 83.3(g)(2). Immediately upon filing this motion, Plaintiff-  
20 Petitioners’ counsel will email copies of all case filings to Katherine Parker, Chief,  
21 Civil Division of the U.S. Attorney’s Office for the Southern District of California at  
22 Katherine.Parker@usdoj.gov.

23 Plaintiff-Petitioners respectfully request an immediate hearing on this Motion  
24 at the soonest possible time the Court may hear it.

25 DATED: April 21, 2020

26 Respectfully submitted,  
27 ACLU FOUNDATION OF SAN  
28 DIEGO & IMPERIAL COUNTIES

**s/ Monika Y. Langarica**  
MONIKA Y. LANGARICA

Attorneys for Plaintiff-Petitioners