

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

J.B.B.C., A MINOR CHILD, by and through his father and Next Friend, Carlos Emilio Barrera Rodriguez,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	No. 2020-cv-_____
)	
CHAD F. WOLF, Acting Secretary of Homeland Security, in his official capacity, et al.,)	
)	
<i>Defendants.</i>)	
)	

EMERGENCY MOTION FOR TEMPORARY RESTRAINING ORDER

Plaintiff J.B.B.C. is a sixteen-year-old boy from Honduras, who fled that country to escape persecution. **Plaintiff is scheduled for deportation on Wednesday, June 10, 2020, and could be removed within the next 12 hours, or sooner.** Plaintiff respectfully moves, based on this Motion and the attached memorandum of law and declaration, for a temporary restraining order (“TRO”) pending briefing and decision on his request for a further TRO or preliminary injunction.

Counsel for Plaintiff has consulted with counsel at the U.S. Attorney’s Office in Washington, DC, and requested that Defendants stay Plaintiff’s deportation. As of the filing of this Motion, counsel for the government had verified that Plaintiff was scheduled for deportation on Wednesday, June 10 but was unwilling to offer any assurances that Plaintiff’s deportation would be stayed. Plaintiff therefore seeks this Court’s intervention. In addition to the grave harm Plaintiff would face if removed, the case involves a challenge to the government’s

unprecedented policy of expelling unaccompanied minors without any hearing based on the supposed authority in the public health laws of Title 42, a policy no court has yet ruled on.

Dated: June 9, 2020

Stephen B. Kang*
Cody Wofsy*
Morgan Russell*
Adrienne Harrold*
American Civil Liberties Union Foundation,
Immigrants' Rights Project
39 Drumm Street
San Francisco, CA 94111
Tel: (415) 343-0770

Andre Segura*
Kathryn Huddleston*
Rochelle Garza*
Brantley Shaw Drake*
American Civil Liberties Union Foundation
of Texas, Inc.
5225 Katy Freeway, Suite 350
Houston, Texas 77007
Tel. (713) 942-8146

Jamie Crook (D.C. Bar No. 1002504)
Blaine Bookey
Karen Musalo
Center for Gender & Refugee Studies
200 McAllister St.
San Francisco, CA 94102
Tel: (415) 565-4877

**Pro hac vice application forthcoming*

Respectfully submitted,

/s/Celso J. Perez
Lee Gelernt*
Daniel A. Galindo*
Celso J. Perez (D.C. Bar No. 1034959)
American Civil Liberties Union Foundation,
Immigrants' Rights Project
125 Broad Street, 18th Floor
New York, NY 10004
Tel: (212) 549-2600

Robert Silverman*
Oxfam America
226 Causeway Street, Suite 500
Boston, MA 02114
Tel: (617) 482-1211

Scott Michelman (D.C. Bar No. 1006945)
Arthur B. Spitzer (D.C. Bar No. 235960)
American Civil Liberties Union Foundation of
the District of Columbia
915 15th Street NW, Second Floor
Washington, D.C. 20005
Tel: (202) 457-0800

Attorneys for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify on or after June 9, 2020, I will cause a copy of this motion, supporting exhibits (under seal) and proposed order to be served on the following, together with the summons and complaint:

Chad F. Wolf
Acting Secretary of the Department of Homeland Security
245 Murray Lane, SW,
Washington, DC 20528;

Mark A. Morgan
Acting Commissioner of U.S. Customs and Border Protection
1300 Pennsylvania Ave, NW
Washington, DC 20229;

Todd C. Owen
Executive Assistant Commissioner, CBP Office of Field Operations
1300 Pennsylvania Ave. NW
Washington, DC 20229;

Rodney S. Scott
Chief of U.S. Border Patrol
U.S. Border Patrol
1300 Pennsylvania Ave, NW
Washington, DC 20229;

Matthew T. Albence
Deputy Director of U.S. Immigration and Customs Enforcement,
500 12th Street, SW
Washington, DC 20536;

Alex M. Azar II
Secretary of the U.S. Department of Health and Human Services
Hubert H. Humphrey Building
200 Independence Avenue, S.W.
Washington, D.C. 20201;

Dr. Robert R. Redfield
Director of the Centers for Disease Control and Prevention
1600 Clifton Road,
Atlanta, GA 30329 USA;

Heidi Stirrup
Acting Director of the Office of Refugee Resettlement,
330 C Street SW
5th Floor
Washington, D.C. 20201

William Barr
Attorney General of the United States
950 Pennsylvania Avenue, NW
Washington, DC 20530

Michael R. Sherwin
Acting U.S. Attorney for the District of Columbia
United States Attorney's Office
555 4th Street, NW
Washington, DC 2001

/s/ Celso J. Perez
Celso J. Perez