

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

ESPINOZA ESCALONA, *et al.*,

Plaintiffs–Petitioners,

v.

NOEM, Secretary of the U.S. Department of Homeland
Security, in her official capacity, *et al.*,

Defendants–Respondents.

Case No: 1:25-cv-00604

**PLAINTIFFS-PETITIONERS’ EMERGENCY MOTION FOR STAY OF
TRANSFER TO GUANTÁNAMO**

Plaintiffs-Petitioners (“Plaintiffs”) are ten civil immigration detainees who are all at imminent risk of transfer from the United States to the U.S. military base at Guantánamo Bay, Cuba. They all have final orders of removal and may transferred at any time, placing them at immediate risk of harm, including the denial of access to the outside world and the likelihood of being subject to horrific, punitive conditions at Guantánamo. Several of them have already been nearly transferred or threatened with transfer to Guantánamo. The government has refused to provide notice of transfers to Guantánamo, so they can occur at any moment. Plaintiffs respectfully move, based on this Motion and the attached Memorandum of Law and supporting declarations, for an emergency stay of transfer to Guantánamo, pending briefing and decision on their request for further relief or permanent stays.

As set forth in the accompanying Memorandum of Law, Plaintiffs’ transfers to, and detention at, Guantánamo are statutorily unauthorized and thus violate the Immigration and Nationality Act; are arbitrary and capricious in violation of the Administrative Procedure Act; and violate due process under the Fifth Amendment.

A proposed order is attached for the Court's convenience. Plaintiffs respectfully request that this Court grant this emergency application and issue an emergency stay.

Dated: March 1, 2025

Respectfully submitted,

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