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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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11 JAIRO ADALID MARTINEZ VILLAFRANCA,

No. C-05-3783 MMC

12 Plaintiff,

13 v.

**ORDER DENYING PLAINTIFF'S  
APPLICATION FOR TEMPORARY  
RESTRAINING ORDER**

14 DEPARTMENT OF HOMELAND  
SECURITY, et al.,

15 Defendants  
16 \_\_\_\_\_/

17 Before the Court is plaintiff's application, filed September 20, 2005, for a temporary  
18 restraining order. The matter came on regularly for hearing September 28, 2005. Rebecca  
19 M. Biernat of Sedgwick, Detert, Moran & Arnold LLP appeared on behalf of plaintiff. Ila C.  
20 Deiss, Assistant United States Attorney, appeared on behalf of defendants. Having  
21 considered the papers submitted and the arguments of counsel, the Court, for the reasons  
22 stated on the record at the hearing, hereby DENIES the application.

23 **IT IS SO ORDERED.**  
24

25 Dated: September 28, 2005

  
26 MAXINE M. CHESNEY  
27 United States District Judge  
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