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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION

YOSTIN SLEIKER GUTIERREZ-
CONTRERAS,

Petitioner,

v.

WARDEN, Desert View Annex, *et al.*,

Respondents.

Case No. 5:25-cv-965-SSS (KES)

**STATUS REPORT AND NOTICE OF
VOLUNTARY DISMISSAL
REQUEST PURSUANT TO FED. R.
CIV. P. 41(a)(1).**

Petitioner Yostin Sleiker Gutierrez Contreras, by and through counsel of record,
Deputy Federal Public Defenders Chad Pennington and David Menninger, and
Respondents, by and through counsel of record Assistant United States Attorney
Christina Marquez, hereby stipulate and agree as follows:

1. This Court entered a preliminary injunction requiring Respondents to
provide 14 days' notice prior to attempting to remove Mr. Gutierrez Contreras under the
Alien Enemies Act and prohibiting Respondents from moving him out of the Central
District. (Dkt. 24.)

2. This Court ordered the parties to submit a further briefing schedule by

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1 June 6, 2025, and a status report regarding Mr. Gutierrez Contreras's next immigration
2 court hearing. (Dkt. 24, 25.)

3 3. On June 4, 2025, the parties stipulated to extend the briefing deadline to
4 after Mr. Gutierrez-Contreras' June 16, 2025, immigration hearing, to facilitate a
5 possible resolution to the matter. The Court extended the deadline for the parties to
6 submit a briefing schedule and directed the parties to file a status report on July 7,
7 2025. (Dkt. 26, 27.)

8 4. On June 7, 2025, the parties stipulated to an additional 31-day continuance
9 of the briefing deadline to facilitate a potential settlement.

10 5. On June 16, 2025, an Immigration Judge ordered Mr. Gutierrez-Contreras
11 removed to Venezuela under the INA. The parties agree that Mr. Gutierrez-Contreras
12 has now been removed under the INA to Venezuela, and he currently resides in
13 Venezuela outside of the United States.

14 6. On July 14, 2025, the government filed a notice of appeal of the Court's
15 April 25, 2025, preliminary injunction to the Ninth Circuit Court of Appeals. (Dkt. 30.)

16 7. On August 11, the Court granted the parties stipulation to extend briefing.
17 (Dkt. 34.) In doing so, the Court directed the parties to submit a proposed briefing
18 schedule by October 6, 2025. *Id.*

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1 8. On August 27, the Ninth Circuit Court of Appeals granted the
2 government's motion to voluntarily dismiss the pending appeal. (Dkt. 35).

3 Accordingly,

4 9. Given Mr. Gutierrez-Contreras' removal from the United States under the
5 INA, and the Ninth Circuit Court of Appeal's grant of the government's dismissal
6 motion in the now resolved direct appeal, the parties have reached an agreement that
7 this matter has now resolved and there are no pending actionable claims. Mr. Gutierrez-
8 Contreras voluntarily dismisses the pending action pursuant to Federal Rule of Civil
9 Procedure 41(a)(1) without a Court order.

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11 CUAUHTEMOC ORTEGA
12 Federal Public Defender

13 Dated: October 1, 2025

14 By /s/ Chad Pennington*

15 DAVID MENNINGER
16 CHAD PENNINGTON
17 Deputy Federal Public Defenders
18 Attorneys for Petitioner

19 Dated: October 1, 2025

20 Respectfully submitted,

21 BILAL A. ESSAYLI
22 Acting United States Attorney
23 DAVID M. HARRIS
24 Assistant United States Attorney
25 Chief, Civil Division
26 DANIEL A. BECK
27 Assistant United States Attorney
28 Chief, Complex and Defensive Litigation
 Section

 By /s/ Christina Marquez* per 9/30/25 email

 CHRISTINA MARQUEZ
 Assistant United States Attorney

 Attorneys for Respondents

1 *Local Civil Rule 5-4.3.4 Attestation: I attest that all other signatories listed concur in
2 the filing's content and have authorized the filing.

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4 DATED: October 1, 2025

/s/ Chad Pennington

CHAD PENNINGTON
Deputy Federal Public Defender