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9 UNITED STATES DISTRICT COURT
10 FOR THE CENTRAL DISTRICT OF CALIFORNIA
11 WESTERN DIVISION

12 JOAQUIN E. VILLALTA SALAZAR,
13 Petitioner-Plaintiff,

14 v.

15 Timothy ROBBINS, et al,
16 Respondents-Defendants.

Case No. 2:25-cv-05473-
VBF-MAR

**Reply to Opposition
To Preliminary
Injunction**

1 **INTRODUCTION**

2 Pursuant to the Court's briefing schedule, on July 9, 2025, Respondents filed
3 their opposition to Petitioner Joaquin Villalta Salazar ("Petitioner's" or "Petitioner
4 Villalta's") petition for preliminary injunction barring Respondents from re-
5 detaining him without a showing that he has engaged in post-release conduct that is
6 a poses a threat to public safety or demonstrates he is a flight risk. In their
7 opposition, Respondents argued that the protections that Petitioner Villalta was
8 seeking were limited only to non-citizens who had been released on bond.

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10 Petitioner Villalta is presenting evidence, that was not previously considered
11 by this Court nor Respondents, which is the fact that he is a Class Member of
12 *Hernandez Roman*, 20-cv-00768-TJH-PVC. See Exhibit Z (Settlement
13 Agreement) & Exhibit Y (letter from ACLU informing Petitioner that he is a class
14 member). Under the terms of this agreement, which appear to be in effect for one
15 year starting on June 2, 2025, Respondents cannot detain Petitioner Villalta absent
16 any circumstances that currently exist.
17

18 In light of this new information, Petitioner Villalta respectfully requests that
19 this Court grant the habeas petition and order Respondents not to re-arrest or re-
20 detain Petitioner Villalta unless so permitted and provided under the existing
21 Settlement Agreement. However, in light of Undersigned Counsel's recent
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1 discovery of this information, Petitioner Villalta does not object to providing
2 Respondent an opportunity to provide a response to this new information.¹

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4 **ARGUMENT**

5 On February 7, 2025, Petitioner Villalta was sent a letter notifying him that
6 he was a Class Member of Hernandez Roman v. Mayokas, 20-cv-00768-TJH-PVC.
7 See Exhibit Y. The final settlement was accepted on June 2, 2025. See Docket
8 No. 20-cv-00768-TJH-PVC, #2704 & #2705. Pursuant to the Final Agreement,
9 attached as Exhibit Z, this agreement is in effect from June 2, 2025 to June 2,
10 2026. See Exhibit Z, Section I.H (effective date); Section VI.A (effective date).

11 This settlement agreement thus is in full force at the present time and at the
12 time when Respondents re-arrested and re-detained Petitioner on June 14, 2025.

13 Pursuant to this Settlement Agreement, Respondents cannot re-detain
14 Petitioner unless (1) he engaged in pre- or post-release custody that indicates that
15 he “is a threat to national security and/or public security”; (2) has violated any
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19 ¹ On May 20, 2022, the Ninth Circuit appointed undersigned counsel to represent
20 Petitioner before the Court in case number 21-953. After that case, counsel
21 prepared a motion to reopen with the Board of Immigration Appeals, which is
22 pending. After his arrest on June 14, 2025, undersigned counsel further filed the
23 habeas petition and TRO in the instant action. In the course of preparing for this
24 response, Counsel discovered Petitioner’s class membership. Counsel sent an
email to Class Counsel to confirm that the information contained in this petition is
true and accurate and will update the Court after speaking with Class Counsel.
Counsel apologizes to the Court and to Opposing Counsel for not being aware of
this Class Membership before today’s filing.

1 release condition that establishes he is a flight risk, fails to report to any ICE
2 appointment, fails to report to any immigration hearing, or has been arrested for
3 new criminal conduct that constitutes an enforcement priority under the September
4 20, 2021 Mayorkas Memorandum; or (3) that Respondents are executing a final
5 order of removal. See Exhibit Z, Section III.A & Section III.B
6

7 Respondent's re-arrest and re-detention of Petitioner Villalta on June 14,
8 2025 is a violation of this agreement.

- 9
- 10 • Petitioner Villalta has not engaged in an any conduct at any time that
11 poses a national security or public security risk.
 - 12 • Petitioner Villalta has not violated any condition of his release, failed to
13 report to his monthly ICE check-ins, or failed to report to any immigration
14 hearing. Although Respondent was arrested on September 13, 2024, that
15 arrest never ripened into a conviction, and even if it had, it is not an
16 enforcement priority as defined by the September 20, 2021 Mayorkas
17 Memorandum.
 - 18 • Respondents are not seeking to enforce any final order of removal.
19
20 Indeed, on February 3, 2025, the Board of Immigration Appeals entered
21 an order staying the final order removal until it adjudicates Petitioner
22 Villalta's motion to reopen that is still pending before the Board of
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1 Immigration Appeals. *See Exhibit A*, attached to Petitioner's Habeas
2 Petition.

3 Because there are no facts that permit Respondents to re-arrest or re-detain
4 him, Petitioner Villalta respectfully asks that the Court permanently enjoin
5 Respondents from re-arresting or re-detaining him unless he violates the
6 *Hernandez Roman* Settlement Agreement.
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8 **CONCLUSION**

9 For good cause, Petitioner requests that the Court enjoin Respondents from
10 re-arresting or re-detaining him unless and until he violates any condition of the
11 *Hernandez Roman* Settlement Agreement.
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15 Dated: July 16, 2025

Respectfully submitted,

16 /s/ Kari Hong

Kari Hong

17 Attorney for Petitioner

Joaquin Villalta-Salazar

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VERIFICATION PURSUANT TO 28 U.S.C. 2242

I am submitting this verification on behalf of the Petitioner because I am
Petitioner's attorneys and also have knowledge based on information and belief. I
hereby verify that the factual statements made in the attached Reply are true and
correct to the best of my knowledge.

Executed on this July 16, 2025, in Missoula, MT.

/s/ Kari Hong
Kari Hong
Attorney for Petitioner