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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF ARIZONA

Dina Arevalo Chicas,

Petitioner,

v.

Fred Figueroa, Warden-Eloy Detention Center; John E. Cantu, Field Office Director, ICE Phoenix Office of Detention and Removal; Kristi Noem, Secretary of Homeland Security; Pamela Bondi, Attorney General of the United States,

Respondents.

No. 2:25-cv-02833-SHD-DMF

GOVERNMENT'S RESPONSE TO PETITION FOR HABEAS CORPUS

Respondents Figueroa, Cantu, Noem, and Bondi ("the government") respond as follows to the Amended Petition dated August 11, 2025. Doc. 4.

Petitioner is a citizen of El Salvador who has an outstanding criminal warrant for embezzlement in El Salvador. After initially entering the United States on a B-2 visitor visa in Alexandria, VA, on April 3, 2016, Petitioner was placed in removal proceedings and detained at United States Immigration and Customs Enforcement ("ICE") Adelanto Processing Center. Doc. 1 ¶ 13. As relief from removal, Petitioner applied for asylum, withholding of removal and protection under the Convention Against Torture. *Id.* ¶ 14. On December 30, 2021, an Immigration Judge ("IJ") ordered Petitioner released from custody pursuant to a $5,000 bond

order. Doc. 1 ¶ 1. On October 17, 2023, the IJ denied Petitioner's applications for relief from removal and ordered her removed. *Id.* ¶ 16. On November 8, 2023, Petitioner appealed the IJ's order, and the appeal remains pending before the Board of Immigration Appeals ("BIA"). Pursuant to 8 C.F.R. § 1003.6(a), Petitioner's removal is stayed pending her appeal with the BIA. Further, the bond was not cancelled or revoked prior to her being arrested due to any material change of circumstances. *Ortega v. Bonnar*, 415 F. Supp. 3d 963, 968-69 (N.D. Cal. 2019) (explaining the statutory framework under which the government may revoke a bond in the event of a material change in circumstances).

Because an IJ had not revoked Petitioner's bond, and because her BIA appeal is still pending and her removal is currently stayed, the government does not oppose the petition's request seeking her release from detention.

Respectfully submitted on August 20, 2025.

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s/*Neil Singh*
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