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6
7 IN THE UNITED STATES DISTRICT COURT
8
9 FOR THE DISTRICT OF NEVADA

10 JEFFERSON DOMINGUEZ-LARA;) JOSE
11 RAMIREZ,) ON BEHALF OF THEMSELVES
12 AS INDIVIDUALS) AND ON BEHALF OF
13 OTHERS SIMILARLY SITUATED

14 Plaintiff,

15 vs.

16 , KRISTI NOEM, SECRETARY THE UNITED
17 STATES DEPARTMENT OF HOMELAND
18 SECURITY; PAM BONDI, UNITED STATES
19 ATTORNEY GENERAL; TODD LYONS,
20 DIRECTOR OF UNITED STATES
21 IMMIGRATION AND CUSTOM
22 ENFORCEMENT; BRYAN WILCOX, FIELD
23 OFFICE DIRECTOR FOR DETENTION AND
24 REMOVAL, U.S. IMMIGRATION AND
25 CUSTOMS ENFORCEMENT,
26 DEPARTMENT OF HOMELAND
27 SECURITY; JOHN MATTOS, WARDEN,
28 NEVADA SOUTHERN DETENTION
CENTER; EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW (EOIR); SIRCE
OWEN, ACTING DIRECTOR, EOIR; LAS
VEGAS IMMIGRATION COURT

Defendant

Case No.: 2:25-cv-01553-JAD-BNW

MOTION TO AMEND AND MODIFY LIMITED
PRECERTIFICATION DISCOVERY ORDER

Comes NOW petitioners Dominguez-Lara et al, hereby respectfully moves this
Honorable court to modify its precertification discovery that was ordered on October 17, 2025 to include
information on whether the bond of a case was appealed by whom and when.

1 On October 17, 2025 this court ordered as its record in the minutes of the proceedings
2 docket number 27 as such; “The Court finds, in its discretion, that precertification discovery is necessary
3 to identify putative class members so that the Court may order appropriate notice to putative class
4 members in order to protect their interests and fairly conduct these actions. See Fed. R. Civ. P.
5 23(d)(1)(B). Additionally, the Court finds information, which is exclusively within the possession of the
6 Department of Homeland Security (DHS), Executive Office for Immigration Review (EOIR), and Nevada
7 Southern Detention Center (NSDC), is necessary and material to determine the existence of the class and
8 whether it can be certified. Therefore, as dictated on the record, IT IS HEREBY ORDERED that Federal
9 Respondents shall provide the following information to interim class counsel;

- 10 (1) The number of individuals currently detained in ICE custody in the District of
11 Nevada, including the facilities in Pahrump, Henderson, and Washoe County.
- 12 (2) For each individual in ICE custody:
 - 13 a. Their name;
 - 14 b. Their A-File number and country of origin;
 - 15 c. The date on which they were detained;
 - 16 d. Copies of any arrest warrant, notice to appear (NTA), and initial custody determination
17 issued by ICE/DHS;
 - 18 e. Whether or not they have requested a custody redetermination (bond hearing) hearing
19 before and Immigration Judge (IJ);
 - 20 f. Whether or not they have received a bond hearing, and if not, the reason why they were
21 denied a bond hearing;
 - 22 g. If they received a bond hearing, whether bond was granted or denied, and the reasons
23 for the decision of the IJ;
 - 24 h. If bond was granted, whether the IJs decision was automatically stayed pursuant to 8
25 U.S.C. § 1003.19;
 - 26 i. If an automatic stay was invoked, whether 8 C.F.R. § 1003.6 has been fully complied
27 with;
 - 28 j. Whether or not DHS is detaining the individual pursuant to 8 U.S.C. § 1225(b)(2).”

Petitioners ask this honorable court to include information on whether the bond of the case was appealed by whom and when if indeed the bond was granted. Specifically, we ask this specific amendment to the precertification discovery order:

MOTION TO AMEND AND MODIFY LIMITED PRECERTIFICATION DISCOVERY ORDER - 2

1 g. If they received a bond hearing, whether bond was granted or denied, and the reasons
2 for the decision of the IJ;

3 h. If bond was granted, whether the IJs decision was automatically stayed pursuant to 8
4 U.S.C. § 1003.19;

5 **i. Whether an appeal of a granted bond has been filed by whom and when.**

6 j. If an automatic stay was invoked, whether 8 C.F.R. § 1003.6 has been fully complied
7 with;

8 k. Whether or not DHS is detaining the individual pursuant to 8 U.S.C. § 1225(b)(2).”

9 We have highlighted, bold and underlined the proposed amended to the precertification discovery
10 order. **i. Whether an appeal of a granted bond has been filed by whom and when.**

11 We ask this honorable court for this modification to the precertification discovery order because
12 Even if declaratory relief is granted for detainees who were denied bond due to the Matter of YAJURE
13 HURTADO, 29 I&N Dec.216(BIA 2025) the respondents are likely to frivolously appeal all bonds and
14 thus unlawfully keep all detainees detained without due process of law. Before the Matter of YAJURE
15 HURTADO was passed down respondents were keeping all detainees detained without due process of
16 law by frivolously invoking automatic stays and frivolously appealing all bonds without sufficient cause
17 and if declaratory relief is granted in the Matter of YAJURE HURTADO respondents will revert to such
18 tactics. Even though the Matter of YAJURE HURTADO is making automatic stay invocations and f
19 frivolously bond appeals less common there are still detainees who are still detained due to frivolously
20 bond appeals. In fact, this law firm has a few of these cases.

21 For the forgoing reasons we ask this Honorable Court to modify the precertification discovery
22 order as we have described above to include discovery on whether granted bond were appealed or not and
23 by whom and when.

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