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8
9 **UNITED STATES DISTRICT COURT**
10
11 **FOR THE DISTRICT OF ARIZONA**

12 Francisco ANGEL ROBLERO,

13 Petitioner-Plaintiff,

14 v.

15 John CANTU, Field Office Director of Phoenix
16 Office of Detention and Removal, U.S.
17 Immigrations and Customs Enforcement; U.S.
18 Department of Homeland Security;

19 Todd M. LYONS, Acting Director, Immigration
20 and Customs Enforcement, U.S. Department of
21 Homeland Security;

22 Kristi NOEM, in her Official Capacity,
23 Secretary, U.S. Department of Homeland
Security; and

24 Pam BONDI, in her Official Capacity, Attorney
25 General of the United States;

26 Respondents-Defendants.

27 Case No.
28

A 

**MOTION FOR TEMPORARY
RESTRANING ORDER**

**POINTS AND AUTHORITIES
IN SUPPORT OF EX PARTE
MOTION FOR TEMPORARY
RESTRANING ORDER AND
MOTION FOR PRELIMINARY
INJUNCTION**

Challenge to Unlawful Incarceration;
Request for Declaratory and Injunctive
Relief

NOTICE OF MOTION

Petitioner Francisco Angel Roblero applies to this honorable Court for a temporary restraining order enjoining Respondents Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE), and Pam Bondi, in her official capacity as the U.S. Attorney General, (1) from continuing to detain him based on an unlawful action by ICE, (2) ordering his immediate release from immigration detention; and (3) from re-arresting Petitioner-Plaintiff Angel Roblero until he is afforded a hearing before a neutral decisionmaker, as required by the Due Process clause of the Fifth Amendment, to determine whether circumstances have materially changed such that his re-incarceration would be justified because there is clear and convincing evidence establishing that he is a danger to the community or a flight risk.

If the Court deems oral argument necessary on August 21, 2025, Petitioner requests to appear by video.

Dated: August 21, 2025

Respectfully submitted,

/s/ Hillary Walsh

Hillary Walsh

Attorney for Petitioner-Plaintiff

1 I. INTRODUCTION

2 Petitioner Francisco Angel Roblero (“Mr. Angel Roblero” or “Petitioner”), A# [REDACTED]
3 [REDACTED] by and through undersigned counsel, respectfully moves this Court for a temporary
4 restraining order (“TRO”) to enjoin Respondents from continuing to detain him in violation of
5 his constitutional rights and the Immigration and Nationality Act (“INA”). Mr. Angel Roblero
6 has been in ICE custody at Eloy Detention Center in Arizona since March 28, 2025, following
7 his unlawful re-detention after ICE removed him to Mexico on February 12, 2025, despite an
8 operative stay of removal issued by the Ninth Circuit Court of Appeals. His detention is unlawful
9 because there has been no material change in circumstances since Ninth Circuit Court granted
10 him stay of removal, finding he was neither a danger to the community nor a flight risk. That stay
11 has never been vacated or modified and remains operative to this day.

12 Mr. Angel Roblero has lived in the United States for over twenty years. He shares his
13 home with his long-time partner, a lawful permanent resident, and their three U.S. citizen
14 children, now approximately ages 17, 7, and 6. One child has speech development issues requiring
15 therapy, and another has a thyroid condition that requires daily medication. He is the primary
16 financial provider and caretaker for his family. In October 2024, the Ninth Circuit Court of
17 Appeals issued a stay of removal in his case, which remains in effect and prohibits his removal
18 while his Petition for Review is pending, and no court has vacated or modified it. His longstanding
19 ties to the United States and the Ninth Circuit’s operative stay underscore the absence of any
20 lawful basis for his removal or continued detention. That stay has never been vacated or modified
21 and remains operative to this day.

22 On September 27, 2024, the Board of Immigration Appeals dismissed Mr. Angel
23 Roblero’s appeal from the denial of his application for cancellation of removal. On October 24,
24

1 2024, he filed a timely Petition for Review with the Ninth Circuit Court of Appeals. The next day,
2 October 25, 2024, the Ninth Circuit issued a docketing notice in Roblero v. Bondi, Case No. 24-
3 6556, confirming that a stay of removal was in effect under General Order 6.4(c) pending
4 adjudication of the stay request. The government filed its opposition to the stay on November 22,
5 2024, and Petitioner filed his reply on December 2, 2024. No further order has issued; the stay
6 remains operative. That stay has never been vacated or modified and remains operative to this
7 day.

8 Despite the operative stay of removal, ICE removed Mr. Angel Roblero to Mexico on
9 February 12, 2025. On March 28, 2025, After returning to the United States, ICE arrested and re-
10 detained him at Eloy Detention Center in Arizona without a bond hearing, or any showing of a
11 change in circumstances that would justify his detention.

12 In addition, an Immigration Judge already determined that Petitioner was neither a danger
13 to the community nor a flight risk, and granted him release on bond set at \$25,000. The
14 government has provided no new evidence of danger or flight risk that would justify re-detention
15 in contradiction of the prior judicial determination.

16 With the assistance of undersigned counsel, Mr. Angel Roblero has submitted an
17 application for T nonimmigrant status (Form I-914) based on the severe labor trafficking he
18 endured in the United States and his application is pending with USCIS. As detailed in his sworn
19 declaration, he was recruited under false pretenses, coerced into grueling work under threat, and
20 subjected to abusive conditions that caused lasting physical and emotional harm. He was deprived
21 of fair wages, intimidated to prevent him from leaving, and forced to continue working despite
22 exhaustion and illness. His application will be supported by documentary evidence and
23 corroborating testimony, underscoring his eligibility for humanitarian protection under the INA.
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1 This type of visa provides status to immigrant victims of severe human trafficking. These past
2 atrocities underscore the urgent need for Mr. Angel Roblero's release from detention and
3 protection from further harm.

4 The government's re-detention of Mr. Angel Roblero is particularly egregious because it
5 occurred in direct violation of an operative stay of removal issued by the Ninth Circuit Court of
6 Appeals. That stay prohibited his removal while his Petition for Review remained pending. Rather
7 than comply, ICE removed him to Mexico on February 12, 2025, and upon his return after he
8 returned on March 28, 2025, immediately placed him back into custody without any new bond
9 hearing or legal justification. This conduct disregards the authority of the appellate court and
10 flouts the procedural safeguards the law requires. That stay has never been vacated or modified
11 and remains operative to this day.

12 By statute and regulation, and as interpreted by the Board of Immigration Appeals (BIA),
13 ICE has the authority to re-arrest a noncitizen and revoke their bond, but only where there has
14 been a material change in circumstances since the individual's release. 8 U.S.C. § 1226(b); 8
15 C.F.R. § 236.1(c)(9); Matter of Sugay, 17 I. & N. Dec. 637, 640 (BIA 1981); Saravia v. Sessions,
16 280 F. Supp. 3d 1168, 1197 (N.D. Cal. 2017), aff'd sub nom. Saravia for A.H. v. Sessions, 905
17 F.3d 1137 (9th Cir. 2018), aff'd sub nom. Saravia for A.H. v. Sessions, 905 F.3d 1137 (9th Cir.
18 2018) (finding change in circumstances warranting re-detention must be "material").

19 In Mr. Angel Roblero's case, there has been no such change. The Ninth Circuit Court
20 found he was neither a danger to the community nor a flight risk. Nevertheless, ICE re-detained
21 him after he returned on March 28, 2025, after unlawfully removing him to Mexico in defiance
22 of an operative Ninth Circuit stay of removal, without providing a hearing or identifying any new
23 facts to justify his detention. That stay has never been vacated or modified and remains operative
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1 to this day.

2 ICE's actions violate Mr. Angel Roblero's due process rights under the Fifth Amendment.
3 The Ninth Circuit Court determined in 2024 that he did not pose a danger to the community or a
4 flight risk, he was entitled to remain at liberty absent a material change in circumstances. Re-
5 detaining him without notice, without an opportunity to be heard, and without identifying any
6 new evidence deprives him of the fundamental fairness that due process requires.
7

8 A basic principle of our legal system is that once a lawful order or judgment has been
9 entered by a competent court, the government must respect and comply with that order absent a
10 lawful basis to modify or vacate it. On October 25, 2024, the Ninth Circuit Court of Appeals
11 issued a stay of removal in Mr. Angel Roblero's case, prohibiting DHS from removing him while
12 his Petition for Review was pending. That order has never been vacated or altered. By removing
13 him to Mexico on February 12, 2025, and then re-detaining him after he returned on March 28,
14 2025, without any change in circumstances or new lawful authority, ICE acted in direct defiance
15 of the appellate court's order and violated this fundamental principle.
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17 Therefore, at a minimum, the government must establish that a material change in
18 circumstances justifies overriding the protections afforded by the Ninth Circuit's stay of removal.
19 No such showing has been made here. There is no evidence that Mr. Angel Roblero poses a danger
20 to the community or a flight risk, and nothing has occurred since the stay was issued that could
21 warrant his re-detention. ICE's actions, taken without a hearing or any individualized
22 determination, violate both statutory and constitutional safeguards. That stay has never been
23 vacated or modified and remains operative to this day.
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25 Mr. Angel Roblero meets the standard for a temporary restraining order. He will suffer
26 immediate and irreparable harm absent an order from this Court enjoining the government from
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1 continuing his unlawful custody and prohibiting the government to re-arrest him at any future
2 time, unless and until he first receives a hearing before a neutral adjudicator, as demanded by the
3 Constitution. Because holding federal agencies accountable to constitutional demands is in the
4 public interest, the balance of equities and public interest are also strongly in Mr. Angel Roblero's
5 favor.

6 **II. STATEMENT OF FACTS AND CASE**

7 Petitioner, Francisco Angel Roblero, is a national and citizen of Mexico. He first entered
8 the United States in April 2002, was voluntarily returned that same month, and re-entered
9 approximately fifteen days later. He later accepted voluntary departure in October 2011 and re-
10 entered the United States that same month. He resides in Phoenix, Arizona with his partner, a
11 lawful permanent resident, and is the father of three U.S. citizen children. One child has a speech
12 delay requiring evaluation and services, and another has a thyroid condition requiring daily
13 medication. The removal and re-detention disrupted the child's speech therapy sessions, risking
14 regression, and left his thyroid-conditioned child's daily treatment solely to his partner under
15 extreme stress. During their absence, the eldest child—still a teenager—was forced into the role
16 of caretaker for the younger siblings, illustrating the extraordinary hardship imposed on this U.S.
17 citizen family.

18 Mr. Angel Roblero has no history of violence, drug trafficking, or other conduct that
19 would indicate he poses a danger to the community. He has complied with all prior bond and
20 immigration obligations, consistently demonstrating good moral character.

21 Mr. Angel Roblero has meritorious applications for relief and protection from removal.
22 Through undersigned counsel, he submitted an application for T nonimmigrant status (Form I-
23 914) based on severe labor trafficking he endured in the United States. In his sworn declaration,
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1 he describes being coerced into exploitative work under threat and abuse, suffering significant
2 harm, and continuing to experience the lasting effects of this trauma. He has established deep ties
3 to the United States, where he has lived for over two decades. He is the primary provider for his
4 three U.S. citizen children, now approximately ages 17, 7, and 6, one of whom has speech
5 development issues requiring therapy and another with a thyroid condition requiring daily
6 medication. His long-time partner is a lawful permanent resident. The family relies on his support
7 not only financially but also for stability and care. The harsh living conditions he faces in
8 detention and the disruption of his family's life underscore the equities in favor of his release.

9
10 Plaintiff has no recent criminal arrests or convictions and has complied with all court
11 orders and immigration requirements. His record demonstrates consistent good moral character
12 for many years, and nothing in his recent history indicates danger to the community or flight risk.
13

14 On September 27, 2024, the Board of Immigration Appeals dismissed Mr. Angel
15 Roblero's appeal from the denial of his application for cancellation of removal. On October 24,
16 2024, Mr. Angel Roblero filed a timely Petition for Review in the United States Court of Appeals
17 for the Ninth Circuit. On October 25, 2024, the Ninth Circuit issued a docketing notice in Roblero
18 v. Bondi, Case No. 24-6556, confirming that a stay of removal is in effect under General Order
19 6.4(c) pending adjudication of the stay request. The government filed its opposition to the stay on
20 November 22, 2024, and Petitioner filed his reply on December 2, 2024. No further order has
21 issued; the stay remains. That stay has never been vacated or modified and remains operative to
22 this day.

23
24 Despite the operative stay of removal, ICE removed Mr. Angel Roblero to Mexico on
25 February 12, 2025. On March 28, 2025, After returning to the United States, ICE arrested and re-

1 detained him at Eloy Detention Center in Arizona without a bond hearing, or any explanation of
2 a change in circumstances, danger, or flight risk.

3 The absence of Mr. Angel Roblero from his home has placed his family in a precarious
4 position. His three U.S. citizen children, approximately ages 17, 7, and 6, have lost their primary
5 source of financial support and daily care. One child's speech therapy has been disrupted, and
6 another's thyroid treatment requires ongoing management that his long-time partner, a lawful
7 permanent resident, now must shoulder alone. The strain of meeting these needs without his
8 presence has caused the family significant emotional and economic hardship. When ICE removed
9 him to Mexico, his long-time partner traveled with him, leaving their U.S. citizen children in
10 Arizona without either parent present to provide care; this fact directly rebuts the government's
11 suggestion that the family would remain in the United States during his removal.
12

13 Mr. Angel Roblero has filed an application for T nonimmigrant status (Form I-914) with
14 USCIS based on severe labor trafficking, supported by documentary evidence and his sworn
15 declaration, and is currently with his application now pending before USCIS.
16

17 Mr. Angel Roblero's continued detention is not justified by any finding that he poses a
18 danger to the community or a flight risk. There has been no material change in his circumstances
19 to warrant re-detention, and ICE has not provided any evidence to the contrary.
20

21 The government's actions in removing Mr. Angel Roblero to Mexico on February 12,
22 2025, despite the operative Ninth Circuit stay of removal, and immediately re-detaining him upon
23 his return after he returned on March 28, 2025, constitute a violation of his due process rights. At
24 no time did ICE provide a hearing before a neutral adjudicator to assess whether his continued
25 detention was lawful. That stay has never been vacated or modified and remains operative to this
26 day.
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1 Mr. Angel Roblero remains detained at Eloy Detention Center in Arizona. His detention
2 separates him from his U.S. citizen children and his long-time partner, disrupts his ability to
3 prepare his immigration case, and causes ongoing harm to his family's well-being. The equities
4 strongly favor his immediate release.

5 It is essential for this Court to intervene to guarantee that Mr. Angel Roblero is released
6 from custody due to this unlawful arrest. He should be returned to his family home in Phoenix,
7 Arizona, and ICE should be mandated to provide him a hearing before determining to re-arrest
8 him. This unlawful conduct taken against Mr. Angel Roblero is already cause for suffering
9 irreparable harm to him and his family

11 **III. LEGAL STANDARD**

12 Mr. Angel Roblero is entitled to a temporary restraining order if he establishes that he is
13 "likely to succeed on the merits, . . . likely to suffer irreparable harm in the absence of preliminary
14 relief, that the balance of equities tips in [his] favor, and that an injunction is in the public interest."
15 *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008); *Stuhlbarg Int'l Sales Co. v. John D.*
16 *Brush & Co.*, 240 F.3d 832, 839 n.7 (9th Cir. 2001) (noting that preliminary injunction and
17 temporary restraining order standards are "substantially identical"). Even if Mr. Angel Roblero
18 does not show a likelihood of success on the merits, the Court may still grant a temporary
19 restraining order if he raises "serious questions" as to the merits of his claims, the balance of
20 hardships tips "sharply" in his favor, and the remaining equitable factors are satisfied. *Alliance*
21 *for the Wild Rockies v. Cottrell*, 632 F.3d 1127 (9th Cir. 2011). As set forth in more detail below,
22 Mr. Angel Roblero overwhelmingly satisfies both standards.

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ARGUMENT

A. MR. ANGEL ROBLOERO WARRANTS A TEMPORARY RESTRAINING ORDER

A temporary restraining order should be issued if “immediate and irreparable injury, loss, or irreversible damage will result” to the applicant in the absence of an order. Fed. R. Civ. P. 65(b). The purpose of a temporary restraining order is to prevent irreparable harm before a preliminary injunction hearing is held. *See Granny Goose Foods, Inc. v. Bhd. Of Teamsters & Auto Truck Drivers Local No. 70 of Alameda City*, 415 U.S. 423, 439 (1974). Mr. Angel Roblero is likely to remain in unlawful custody in violation of his due process rights without intervention by this Court. Mr. Angel Roblero will continue to suffer irreparable injury if he continues to be detained without due process.

1. Mr. Angel Roblero is Likely to Succeed on the Merits of His Claim That in This Case the Constitution Requires a Hearing Before a Neutral Adjudicator Prior to Any Re-Incarceration by ICE

Mr. Angel Roblero is likely to succeed on his claim that, in his particular circumstances, his current detention is unlawful because the Due Process Clause of the Constitution prevents Respondents from re-arresting him without first providing a pre-deprivation hearing before a neutral adjudicator where the government demonstrates by clear and convincing evidence that there has been a material change in circumstances such that he is now a danger or a flight risk.

The statute and regulations grant ICE the ability to unilaterally revoke any noncitizen's immigration bond and re-arrest the noncitizen at any time. 8 U.S.C. § 1226(b); 8 C.F.R. § 236.1(c)(9). Notwithstanding the breadth of the statutory language granting ICE the power to revoke an immigration bond "at any time," 8 U.S.C. 1226(b), in *Matter of Sugay*, 17 I. & N. Dec. 637, 640 (BIA 1981), the BIA recognized an implicit limitation on ICE's authority to re-arrest

1 noncitizens. There, the BIA held that “where a previous bond determination has been made by an
2 immigration judge, no change should be made by [the DHS] absent a change of circumstance.”
3 Id. In practice, DHS “requires a showing of changed circumstances both where the prior bond
4 determination was made by an immigration judge and where the previous release decision was
5 made by a DHS officer.” *Saravia v. Sessions*, 280 F. Supp. 3d 1168, 1197 (N.D. Cal. 2017), aff’d
6 *sub nom. Saravia for A.H. v. Sessions*, 905 F.3d 1137 (9th Cir. 2018) (emphasis added). The Ninth
7 Circuit has also assumed that, under *Matter of Sugay*, ICE has no authority to re-detain an
8 individual absent changed circumstances. *Panosyan v. Mayorkas*, 854 F. App’x 787, 788 (9th Cir.
9 2021) (“Thus, absent changed circumstances … ICE cannot redetain Panosyan.”).
10

11 ICE has further limited its authority as described in *Sugay*, and “generally only re-arrests
12 [noncitizens] pursuant to § 1226(b) after a *material* change in circumstances.” *Saravia*, 280 F.
13 Supp. 3d at 1197 (N.D. Cal. 2017), *aff’d sub nom. Saravia for A.H. v. Sessions*, 905 F.3d 1137
14 (9th Cir. 2018) (quoting Defs.’ Second Supp. Br. at 1, Dkt. No. 90) (emphasis added). Thus, under
15 BIA case law and ICE practice, ICE may re-arrest a noncitizen who had been previously released
16 from custody only after a material change in circumstances. *See Saravia*, 280 F. Supp. 3d at 1176;
17 *Matter of Sugay*, 17 I&N Dec. at 640.
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19 ICE’s power to re-arrest a noncitizen who is at liberty following a release from custody is
20 also constrained by the demands of due process. *See Hernandez v. Sessions*, 872 F.3d 976, 981
21 (9th Cir. 2017) (“the government’s discretion to incarcerate non-citizens is always constrained by
22 the requirements of due process”). In this case, the guidance provided by *Matter of Sugay*—that
23 ICE should not re-arrest a noncitizen absent changed circumstances—is insufficient to protect
24 Mr. Angel Roblero weighty interest in his freedom from unlawful detention.
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1 The District of Arizona has recognized that when the government seeks to revoke or stay
2 a noncitizen's release from custody, due process under the Fifth Amendment requires a
3 meaningful opportunity to be heard before the deprivation occurs. *See Organista v. Sessions*, No.
4 CV-18-00285-PHX-GMS (D. Ariz. Feb. 8, 2018). Applying the familiar three-factor test
5 from *Mathews v. Eldridge*, 424 U.S. 319 (1976), the court weighed 1) the private liberty interest
6 at stake; 2) the risk of erroneous deprivation; and 3) the burden on the government – “the
7 fundamental requirement of due process – the opportunity to be heard at a meaningful time and
8 manner.” *Organista*, No. CV-18-00285-PHX-GMS, at 4.; *City of Los Angeles v. David*, 538 U.S.
9 715, 717 (2003). In weighing the *Mathews* factors, the court declared that “there is no
10 meaningful dispute that Petitioner has a liberty interest in being heard before the BIA can
11 prolong his detention.” *Organista*, No. CV-18-00285-PHX-GMS, at 4.

14 Likewise, federal district courts in California have repeatedly recognized that the
15 demands of due process and the limitations on DHS's authority to revoke a noncitizen's bond or
16 parole set out in DHS's stated practice and *Matter of Sugay* both require a pre-deprivation
17 hearing for a noncitizen on bond, like Mr. Angel Roblero, before ICE re-detains him. *See, e.g.*,
18 *Ortega v. Bonnar*, 415 F. Supp. 3d 963 (N.D. Cal. 2019); *Vargas v. Jennings*, No. 20-CV-5785-
19 PJH, 2020 WL 5074312, at *3 (N.D. Cal. Aug. 23, 2020); *Jorge M. F. v. Wilkinson*, No. 21-CV-
20 01434-JST, 2021 WL 783561, at *2 (N.D. Cal. Mar. 1, 2021); *Romero v. Kaiser*, No. 22-cv-
21 02508-TSH, 2022 WL 1443250, at *3-4 (N.D. Cal. May 6, 2022) (Petitioner would suffer
22 irreparable harm if re-detained, and required notice and a hearing before any re-detention);
23 *Enamorado v. Kaiser*, No. 25-CV-04072-NW, 2025 WL 1382859, at *3 (N.D. Cal. May 12,
24 2025) (temporary injunction warranted preventing re-arrest at plaintiff's ICE interview when he
25 had been on bond for more than five years). *See also Doe v. Becerra*, No. 2:25-cv-00647-DJC-
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1 DMC, 2025 WL 691664, *4 (E.D. Cal. Mar. 3, 2025) (holding the Constitution requires a
2 hearing before any re-arrest).

3 Courts analyze procedural due process claims such as this one in two steps: the first asks
4 whether there exists a protected liberty interest under the Due Process Clause, and the second
5 examines the procedures necessary to ensure any deprivation of that protected liberty interest
6 accords with the Constitution. *See Kentucky Dep't of Corrections v. Thompson*, 490 U.S. 454,
7 460 (1989).

8

9 **a. Mr. Angel Roblero Has a Protected Liberty Interest in His
10 Conditional Release**

11 Mr. Angel Roblero 's liberty from immigration custody is protected by the Due Process
12 Clause: "Freedom from imprisonment—from government custody, detention, or other forms of
13 physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects."
14 *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

15 Since 2024, Mr. Angel Roblero exercised that freedom under the Ninth Circuit Court
16 order granting him a Stay of Removal. Accordingly, he retains a weighty liberty interest under
17 the Due Process Clause of the Fifth Amendment in avoiding unlawful re-incarceration. *See Young
18 v. Harper*, 520 U.S. 143, 146-47 (1997); *Gagnon v. Scarpelli*, 411 U.S. 778, 781-82 (1973);
19 *Morrissey v. Brewer*, 408 U.S. 471, 482-483 (1972).

20 In *Morrissey*, the Supreme Court examined the "nature of the interest" that a parolee has
21 in "his continued liberty." 408 U.S. at 481-82. The Court noted that, "subject to the conditions of
22 his parole, [a parolee] can be gainfully employed and is free to be with family and friends and to
23 form the other enduring attachments of normal life." *Id.* at 482. The Court further noted that "the
24 parolee has relied on at least an implicit promise that parole will be revoked only if he fails to live
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1 up to the parole conditions.” *Id.* The Court explained that “the liberty of a parolee, although
 2 indeterminate, includes many of the core values of unqualified liberty and its termination inflicts
 3 a grievous loss on the parolee and often others.” *Id.* In turn, “[b]y whatever name, the liberty is
 4 valuable and must be seen within the protection of the [Fifth] Amendment.” *Morrissey*, 408 U.S.
 5 at 482.

6 This basic principle—that individuals have a liberty interest in their conditional release—
 7 has been reinforced by both the Supreme Court and the circuit courts on numerous occasions.
 8 *See, e.g., Young v. Harper*, 520 U.S. at 152 (holding that individuals placed in a pre-parole
 9 program created to reduce prison overcrowding have a protected liberty interest requiring pre-
 10 deprivation process); *Gagnon v. Scarpelli*, 411 U.S. at 781-82 (holding that individuals released
 11 on felony probation have a protected liberty interest requiring pre-deprivation process). As the
 12 First Circuit has explained, when analyzing the issue of whether a specific conditional release
 13 rises to the level of a protected liberty interest, “[c]ourts have resolved the issue by comparing the
 14 specific conditional release in the case before them with the liberty interest in parole as
 15 characterized by *MorrisseyGonzalez-Fuentes v. Molina*, 607 F.3d 864, 887 (1st Cir. 2010)
 16 (internal quotation marks and citation omitted). *See also, e.g., Hurd v. District of Columbia*, 864
 17 F.3d 671, 683 (D.C. Cir. 2017) (“a person who is in fact free of physical confinement—even if
 18 that freedom is lawfully revocable—has a liberty interest that entitles him to constitutional due
 19 process before he is re-incarcerated”) (citing *Young*, 520 U.S. at 152, *Gagnon*, 411 U.S. at 782,
 20 and *Morrissey*, 408 U.S. at 482).

21 In fact, it is well-established that an individual maintains a protectable liberty interest even
 22 where the individual obtains liberty through a mistake of law or fact. *See id.; Gonzalez-Fuentes*,
 23 607 F.3d at 887; *Johnson v. Williford*, 682 F.2d 868, 873 (9th Cir. 1982) (noting that due process
 24

1 considerations support the notion that an inmate released on parole by mistake, because he was
2 serving a sentence that did not carry a possibility of parole, could not be re-incarcerated because
3 the mistaken release was not his fault, and he had appropriately adjusted to society, so it “would
4 be inconsistent with fundamental principles of liberty and justice” to return him to prison)
5 (internal quotation marks and citation omitted).

6 Here, when this Court “compar[es] the release in [Mr. Angel Roblero ’s case], with the
7 liberty interest in parole as characterized by *Morrissey*,” they bear similar features in liberty
8 interests. *See Gonzalez-Fuentes*, 607 F.3d at 887. Just as in *Morrissey*, Mr. Angel Roblero ’s
9 release “enables him to do a wide range of things open to persons,” including to live at home,
10 work, care for his family, for whom he is the financial provider, and “be with family and friends
11 and to form the other enduring attachments of normal life.” *Morrissey*, 408 U.S. at 482.
12

13 Mr. Angel Roblero is the primary financial provider for his long-time partner, a lawful
14 permanent resident, and their three U.S. citizen children, approximately ages 17, 7, and 6, one of
15 whom has speech development issues requiring therapy and another with a thyroid condition
16 requiring daily medication. He has not committed any crimes for many years and has complied
17 with all conditions of prior release, attending all hearings and maintaining contact with counsel.
18 He has filed a credible Form I-914, Application for T nonimmigrant status, supported by
19 documentary evidence and his sworn declaration detailing the severe labor trafficking he endured.
20

21 **b. Mr. Angel Roblero ’s Liberty Interest Mandates His
22 Release from Unlawful Custody And A Hearing Before any
23 Re-Arrest**

24 Mr. Angel Roblero asserts that, here, (1) where his detention would be civil; (2) where
25 the Ninth Circuit Court stay of removal is still pending; (3) where he has a credible claim for T
26 nonimmigrant relief, with Form I-914, Application for T nonimmigrant status pending
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1 adjudication by USCIS; (4) where no change in circumstances exist that would justify his lawful
2 detention; and (5) where the only circumstance that has changed is ICE's move to arrest as many
3 people as possible under the new administration's initiative, due process mandates that he be
4 released from his unlawful custody and receive notice and a hearing before a neutral adjudicator
5 *prior* to any re-arrest or revocation of his custody release.
6

7 "Adequate, or due, process depends upon the nature of the interest affected. The more
8 important the interest and the greater the effect of its impairment, the greater the procedural
9 safeguards the [government] must provide to satisfy due process." *Haygood v. Younger*, 769 F.2d
10 1350, 1355-56 (9th Cir. 1985) (en banc) (citing *Morrissey*, 408 U.S. at 481-82). This Court must
11 "balance [Mr. Angel Roblero 's] liberty interest against the [government's] interest in the
12 efficient administration of" its immigration laws to determine what process he is owed to ensure
13 that ICE does not unconstitutionally deprive him of his liberty. *Id.* at 1357. Under the test set forth
14 in *Mathews v. Eldridge*, this Court must consider three factors in conducting its balancing test:
15 "first, the private interest that will be affected by the official action; second, the risk of an
16 erroneous deprivation of such interest through the procedures used, and the probative value, if
17 any, of additional or substitute procedural safeguards; and finally the government's interest,
18 including the function involved and the fiscal and administrative burdens that the additional or
19 substitute procedural requirements would entail." *Haygood*, 769 F.2d at 1357 (citing *Mathews v.*
20 *Eldridge*, 424 U.S. 319, 335 (1976)).
21

22 The Supreme Court "usually has held that the Constitution requires some kind of a hearing
23 before the State deprives a person of liberty or property." *Zinermon v. Burch*, 494 U.S. 113, 127
24 (1990) (emphasis in original). Only in a "special case" where post-deprivation remedies are "the
25 only remedies the State could be expected to provide" can post-deprivation process satisfy the
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1 requirements of due process. *Zinermon*, 494 U.S. at 985. Moreover, only where “one of the
2 variables in the *Mathews* equation—the value of predeprivation safeguards—is negligible in
3 preventing the kind of deprivation at issue” such that “the State cannot be required constitutionally
4 to do the impossible by providing predeprivation process,” can the government avoid providing
5 pre-deprivation process. *Id.*

6 Because, in this case, the provision of a pre-deprivation hearing is both possible and
7 valuable to preventing an erroneous deprivation of liberty, ICE is required to provide Mr. Angel
8 Roblero with notice and a hearing *prior* to any re-incarceration and revocation of his bond. *See*
9 *Morrissey*, 408 U.S. at 481-82; *Haygood*, 769 F.2d at 1355-56; *Jones*, 393 F.3d at 932; *Zinermon*,
10 494 U.S. at 985; *see also Youngberg v. Romeo*, 457 U.S. 307, 321-24 (1982); *Lynch v. Baxley*,
11 744 F.2d 1452 (11th Cir. 1984) (holding that individuals awaiting involuntary civil commitment
12 proceedings may not constitutionally be held in jail pending the determination as to whether they
13 can ultimately be recommitted). Under *Mathews*, “the balance weighs heavily in favor of [Mr.
14 Angel Roblero ’s] liberty” and requires a pre-deprivation hearing before a neutral adjudicator.
15

16 **i. Mr. Angel Roblero’s Private Interest in His Liberty is
17 Profound**

18 Under *Morrissey* and its progeny, individuals conditionally released from serving a
19 criminal sentence have a liberty interest that is “valuable.” *Morrissey*, 408 U.S. at 482. In addition,
20 the principles enunciated in *Hurd* and *Johnson*—that a person who is in fact free of
21 physical confinement, even if that freedom is lawfully revocable, has a liberty interest that entitles
22 him to constitutional due process before he is re-incarcerated—apply with even greater force to
23 individuals like Mr. Angel Roblero , who have been released pending civil removal proceedings,
24 rather than parolees or probationers who are subject to incarceration as part of a sentence for a
25 criminal conviction. Parolees and probationers have a diminished liberty interest given their
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underlying convictions. See, e.g., *U.S. v. Knights*, 534 U.S. 112, 119 (2001); *Griffin v. Wisconsin*, 483 U.S. 868, 874 (1987). Nonetheless, even in the criminal parolee context, the courts have held that the parolee cannot be re-arrested without a due process hearing in which they can raise any claims they may have regarding why their re-incarceration would be unlawful. See *Gonzalez-Fuentes*, 607 F.3d at 891-92; *Hurd*, 864 F.3d at 683. Thus, Mr. Angel Roblero retains a truly weighty liberty interest even though he is under conditional release.

What is at stake in this case for Mr. Angel Roblero is one of the most profound individual interests recognized by our legal system: whether ICE may unilaterally nullify a prior decision releasing a non-citizen from custody and be able to take away his physical freedom, i.e., his “constitutionally protected interest in avoiding physical restraint.” *Singh v. Holder*, 638 F.3d 1196, 1203 (9th Cir. 2011) (internal quotation omitted). “Freedom from bodily restraint has always been at the core of the liberty protected by the Due Process Clause.” *Foucha v. Louisiana*, 504 U.S. 71, 80 (1992). See also *Zadvydas*, 533 U.S. at 690 (“Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects.”); *Cooper v. Oklahoma*, 517 U.S. 348 (1996).

Thus, it is clear that there is a profound private interest at stake in this case, which must be weighed heavily when determining what process he is owed under the Constitution. *See Mathews*, 424 U.S. at 334-35.

ii. The Government's Interest in Re-Incarcerating Mr. Angel Roblero Without a Hearing is Low and the Burden on the Government to Refrain from Re-Arresting Him Unless and Until He is Provided a Hearing is Minimal

The government's interest in maintaining an unlawful detention without a due process hearing is low, and when weighed against Mr. Angel Roblero 's significant private interest in his

1 liberty, the scale tips sharply in favor of enjoining Respondents (1) from keeping him in unlawful
2 custody; (2) re-arresting Mr. Angel Roblero unless and until the government demonstrates to a
3 neutral adjudicator by clear and convincing evidence that he is a flight risk or danger to the
4 community; (3) removing him from the United States in violation of an agency order and district
5 court injunction; and (4) continuing to violate the undisturbed bond release order issued by an
6 Immigration Judge. It becomes abundantly clear that the *Mathews* test favors Mr. Angel Roblero
7 when the Court considers that the process he seeks—notice and a hearing regarding whether
8 release from custody should be revoked—is a standard course of action for the government.
9 Providing Mr. Angel Roblero with a hearing before this Court (or a neutral decisionmaker) to
10 determine whether there is clear and convincing evidence that Mr. Angel Roblero is a flight risk
11 or danger to the community would impose only a *de minimis* burden on the government, because
12 the government routinely provides this sort of hearing to individuals like Mr. Angel Roblero .
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14 As immigration detention is civil, it can have no punitive purpose. The government's only
15 interests in holding an individual in immigration detention can be to prevent danger to the
16 community or to ensure a noncitizen's appearance at immigration proceedings. *See Zadvydas*,
17 533 U.S. at 690. In this case, the government cannot plausibly assert that it has any basis for
18 detaining Mr. Angel Roblero, and since has lived at liberty as a financial provider for his family,
19 without any violent criminal or civil traffic infractions.
20

21 It is difficult to see how the government's interest in detaining Mr. Angel Roblero has
22 materially changed since he the Ninth Circuit Court decision in 2024, absent any circumstances
23 indicating he is a danger to the community or a flight risk. The government's interest in detaining
24 Mr. Angel Roblero at this time is extremely low. That ICE has a new policy to make a minimum
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1 number of arrests each day under the new administration does not constitute a material change in
2 circumstances or increase the government's interest in detaining him.¹

3 Moreover, the "fiscal and administrative burdens" that his immediate release and a lawful
4 pre-detention hearing would impose is nonexistent in this case. *See Mathews*, 424 U.S. at 334-35.
5 Mr. Angel Roblero does not seek a unique or expensive form of process, but rather a routine
6 hearing regarding whether his bond should be revoked and whether he should be re-incarcerated.
7

8 As the Ninth Circuit noted in 2017, which remains true today, "[t]he costs to the public of
9 immigration detention are 'staggering': \$158 each day per detainee, amounting to a total daily
10 cost of \$6.5 million." *Hernandez*, 872 F.3d at 996. ICE's unlawful action of placing him in
11 custody is more of a financial burden than releasing him and providing any pre-custody hearing
12 before any future re-arrest occurs.
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14 In the alternative, providing Mr. Angel Roblero with a hearing before this Court (or a
15 neutral decisionmaker) regarding release from custody is a routine procedure that the government
16 provides to those in immigration jails on a daily basis. At that hearing, the Court would have the
17 opportunity to determine whether circumstances have changed sufficiently to justify his re-arrest.
18 But there is no justifiable reason to re-incarcerate Mr. Angel Roblero prior to such a hearing
19 taking place. As the Supreme Court noted in *Morrissey*, even where the State has an
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23 ¹ See "Trump officials issue quotas to ICE officers to ramp up arrests," *Washington Post* (January
24 26, 2025), available at: <https://www.washingtonpost.com/immigration/2025/01/26/ice-arrests->
25 [raids-trump-quota/](#); "Stephen Miller's Order Likely Sparked Immigration Arrests And Protests,"
26 [Forbes](https://www.forbes.com/sites/stuartanderson/2025/06/09/stephen-millers-order-likely-sparked-immigration-arrests-and-protests/) (June 9, 2025), <https://www.forbes.com/sites/stuartanderson/2025/06/09/stephen-millers-order-likely-sparked-immigration-arrests-and-protests/> ("At the end of May 2025, 'Stephen
27 Miller, a senior White House official, told Fox News that the White House was looking for ICE to
arrest 3,000 people a day, a major increase in enforcement. The agency had arrested more than
66,000 people in the first 100 days of the Trump administration, an average of about 660 arrests a
day,' reported the New York Times. Arresting 3,000 people daily would surpass 1 million arrests
in a calendar year.").

“overwhelming interest in being able to return [a parolee] to imprisonment without the burden of a new adversary criminal trial if in fact he has failed to abide by the conditions of his parole . . . the State has no interest in revoking parole without some informal procedural guarantees.” 408 U.S. at 483.

Releasing Mr. Angel Roblero from unlawful custody and enjoining Mr. Angel Roblero's re-arrest until ICE (1) moves for a bond re-determination before an IJ and (2) demonstrates by clear and convincing evidence that Mr. Angel Roblero is a flight risk or danger to the community is far *less* costly and burdensome for the government than keeping him detained.

iii. Without a Due Process Hearing Prior to Any Arrest, the Risk of an Erroneous Deprivation of Liberty is High, and Process in the Form of a Constitutionally Compliant Hearing Where ICE Carries the Burden Would Decrease That Risk

Releasing Mr. Angel Roblero from unlawful custody and providing Mr. Angel Roblero a pre-deprivation hearing would decrease the risk of him being erroneously deprived of his liberty. Before Mr. Angel Roblero can be lawfully detained, he must be provided with a hearing before a neutral adjudicator at which the government is held to show that there has been sufficiently changed circumstances.

The procedure Mr. Angel Roblero seeks—a hearing in front of a neutral adjudicator at which the government must prove by clear and convincing evidence that circumstances have changed to justify his detention *before* any re-arrest—is much more likely to produce accurate determinations regarding factual disputes, such as whether a certain occurrence constitutes a “changed circumstance.” *See Chalkboard, Inc. v. Brandt*, 902 F.2d 1375, 1381 (9th Cir. 1989) (when “delicate judgments depending on credibility of witnesses and assessment of conditions not subject to measurement” are at issue, the “risk of error is considerable when just

1 determinations are made after hearing only one side"). "A neutral judge is one of the most basic
2 due process protections." *Castro-Cortez v. INS*, 239 F.3d 1037, 1049 (9th Cir. 2001), *abrogated*
3 *on other grounds by Fernandez-Vargas v. Gonzales*, 548 U.S. 30 (2006). The Ninth Circuit has
4 noted that the risk of an erroneous deprivation of liberty under *Mathews* can be decreased where
5 a neutral decisionmaker, rather than ICE alone, makes custody determinations. *Diouf v.*
6 *Napolitano* ("*Diouf II*"), 634 F.3d 1081, 1091-92 (9th Cir. 2011).

7 Due process also requires consideration of alternatives to detention at any custody
8 redetermination hearing that may occur. The primary purpose of immigration detention is to
9 ensure a noncitizen's appearance during removal proceedings. *Zadvydas*, 533 U.S. at 697.
10 Detention is not reasonably related to this purpose if there are alternatives to detention that could
11 mitigate risk of flight. *See Bell v. Wolfish*, 441 U.S. 520, 538 (1979). Accordingly, alternatives to
12 detention must be considered in determining whether Mr. Angel Roblero's re-incarceration is
13 warranted

14 As the above-cited authorities show, Mr. Angel Roblero is likely to succeed on his claim
15 that his removal to Mexico on February 12, 2025, in violation of the operative Ninth Circuit stay
16 of removal, and his immediate re-detention upon return to the United States after he returned on
17 March 28, 2025, without a bond hearing, or any showing of a material change in circumstances,
18 is unlawful. The Due Process Clause require notice and a hearing before a neutral decisionmaker
19 prior to any re-incarceration by ICE. And, at the very minimum, he clearly raises serious
20 questions regarding this issue, thus also meriting a TRO. See *Alliance for the Wild Rockies*, 632
21 F.3d at 1135. That stay has never been vacated or modified and remains operative to this day.
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2. Petitioner's Continued Detention is Unlawful

By statute and regulation, as interpreted by the Board of Immigration Appeals (BIA), ICE has the authority to re-arrest a noncitizen and revoke their bond, only where there has been a change in circumstances since the individual's release. 8 U.S.C. § 1226(b); 8 C.F.R. § 236.1(c)(9); Matter of Sugay, 17 I&N Dec. 647, 640 (BIA 1981). The government has further clarified in litigation that any change in circumstances must be "material." Saravia v. Barr, 280 F. Supp. 3d 1168, 1197 (N.D. Cal. 2017), aff'd sub nom. Saravia for A.H. v. Sessions, 905 F.3d 1137 9th Cir. 2018) (emphasis added). That authority, however, is proscribed by the Due Process Clause because it is well-established that individuals released from incarceration have a liberty interest in their freedom. In turn, to protect that interest, on the particular facts of Roblero's case, due process requires notice and a hearing, prior to any re-arrest, at which he is afforded the opportunity to advance his arguments as to why his release should not be revoked.

That basic principle, that individuals placed at liberty are entitled to process before the government imprisons them, has particular meaning here, where Mr. Roblero's detention was already found to be unnecessary to serve its purpose. An Immigration Judge previously found that he need not be incarcerated to prevent flight or to protect the community, and no circumstances have changed that would justify re-arrest.

Therefore, at a minimum, in order to lawfully re-arrest Mr. Roblero, the government must first establish, by clear and convincing evidence and before a neutral decision maker, that he is a danger to the community or a flight risk, such that his re-incarceration is warranted.

3. Mr. Angel Roblero Will Suffer Irreparable Harm Absent Injunctive Relief

Mr. Angel Roblero will suffer irreparable harm were he to remain detained after being deprived of his liberty and subjected to unlawful incarceration by immigration authorities without being provided the constitutionally adequate process that this motion for a temporary restraining order seeks. Detainees in ICE custody are held in “prison-like conditions.” *Preap v. Johnson*, 831 F.3d 1193, 1195 (9th Cir. 2016). As the Supreme Court has explained, “[t]he time spent in jail

1 awaiting trial has a detrimental impact on the individual. It often means loss of a job; it disrupts
2 family life; and it enforces idleness.” *Barker v. Wingo*, 407 U.S. 514, 532-33 (1972); *accord Nat'l*
3 *Ctr. for Immigrants Rights, Inc. v. I.N.S.*, 743 F.2d 1365, 1369 (9th Cir. 1984). Moreover, the
4 Ninth Circuit has recognized in “concrete terms the irreparable harms imposed on anyone subject
5 to immigration detention” including “subpar medical and psychiatric care in ICE detention
6 facilities, the economic burdens imposed on detainees and their families as a result of detention,
7 and the collateral harms to children of detainees whose parents are detained.” *Hernandez*, 872
8 F.3d at 995. The government itself has documented alarmingly poor conditions in ICE detention
9 centers. *See, e.g.*, DHS, Office of Inspector General (OIG), Summary of Unannounced
10 Inspections of ICE Facilities Conducted in Fiscal Years 2020-2023 (2024) (reporting violations
11 of environmental health and safety standards; staffing shortages affecting the level of care
12 detainees received for suicide watch, and detainees being held in administrative segregation in
13 unauthorized restraints, without being allowed time outside their cell, and with no documentation
14 that they were provided health care or three meals a day).²

17 Mr. Angel Roblero has been out of ICE custody since February 2025 prior to his unlawful
18 removal and immediate re-detention in 2025. During that time, he lived with his long-time
19 partner, a lawful permanent resident, and their three U.S. citizen children, now approximately
20 ages 17, 7, and 6. He was the family’s primary financial provider and an active, contributing
21 member of his community. Since his prior release, he has complied with all immigration
22 requirements, attended all scheduled hearings, and has not engaged in any criminal conduct.
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25 His continued detention is causing severe and immediate hardship to his family. His
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28 ² Available at <https://www.oig.dhs.gov/sites/default/files/assets/2024-09/OIG-24-59-Sep24.pdf>
(last accessed Feb. 6, 2024).

1 absence has disrupted his children's medical care—one child requires ongoing speech therapy,
2 and another has a thyroid condition requiring daily medication. His long-time partner is now
3 solely responsible for supporting the household, caring for the children, and managing their
4 medical needs, which has placed the family in a precarious and unsustainable position.

5 As detailed *supra*, Mr. Angel Roblero contends that his re-arrest absent a hearing before
6 a neutral adjudicator violates his due process rights under the Constitution. It is clear that "the
7 deprivation of constitutional rights 'unquestionably constitutes irreparable injury.'" *Melendres v.*
8 *Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012) (quoting *Elrod v. Burns*, 427 U.S. 347, 373 (1976)).
9 Thus, a temporary restraining order is necessary to prevent Mr. Angel Roblero from suffering
10 irreparable harm by being subject to unlawful and unjust detention.

11

12 **4. The Balance of Equities and the Public Interest Favor Granting the
Temporary Restraining Order**

13 The balance of equities and the public interest undoubtedly favor granting this temporary
14 restraining order.

15 First, the balance of hardships strongly favors Mr. Angel Roblero. The government cannot
16 suffer harm from an injunction that prevents it from engaging in an unlawful practice. *See Zepeda*
17 *v. I.N.S.*, 753 F.2d 719, 727 (9th Cir. 1983) ("[T]he INS cannot reasonably assert that it is harmed
18 in any legally cognizable sense by being enjoined from constitutional violations."). Therefore, the
19 government cannot allege harm arising from a temporary restraining order or preliminary
20 injunction ordering it to comply with the Constitution.

21 Further, any burden imposed by requiring the ICE to release Mr. Angel Roblero from
22 unlawful custody and refrain from re-arrest unless and until he is provided a hearing before a
23 neutral is both *de minimis* and clearly outweighed by the substantial harm he will suffer as if he
24 is detained. *See Lopez v. Heckler*, 713 F.2d 1432, 1437 (9th Cir. 1983) ("Society's interest lies on

1 the side of affording fair procedures to all persons, even though the expenditure of governmental
2 funds is required.”).

3 A temporary restraining order is in the public interest. First and most importantly, “it
4 would not be equitable or in the public’s interest to allow [a party] . . . to violate the requirements
5 of federal law, especially when there are no adequate remedies available.” *Ariz. Dream Act Coal.*
6 *v. Brewer*, 757 F.3d 1053, 1069 (9th Cir. 2014) (quoting *Valle del Sol Inc. v. Whiting*, 732 F.3d
7 1006, 1029 (9th Cir. 2013)). If a temporary restraining order is not entered, the government would
8 effectively be granted permission to detain Mr. Angel Roblero in violation of the requirements
9 of Due Process. “The public interest and the balance of the equities favor ‘prevent[ing] the
10 violation of a party’s constitutional rights.’” *Ariz. Dream Act Coal.*, 757 F.3d at 1069 (quoting
11 *Melendres*, 695 F.3d at 1002); *see also Hernandez*, 872 F.3d at 996 (“The public interest benefits
12 from an injunction that ensures that individuals are not deprived of their liberty and held in
13 immigration detention because of bonds established by a likely unconstitutional process.”); *cf.*
14 *Preminger v. Principi*, 422 F.3d 815, 826 (9th Cir. 2005) (“Generally, public interest concerns are
15 implicated when a constitutional right has been violated, because all citizens have a stake in
16 upholding the Constitution.”).

17 Therefore, the public interest overwhelmingly favors entering a temporary restraining
18 order and preliminary injunction.

19
20 **IV. CONCLUSION**

21 For all the above reasons, this Court should find that Mr. Angel Roblero warrants a
22 temporary restraining order and a preliminary injunction ordering that Respondents (1) release
23 him from his unlawful custody; (2) refrain from re-arresting him unless and until he is afforded a
24 hearing before a neutral adjudicator on whether a change in custody is justified by clear and
25 convincing evidence that he is a danger to the community or a flight risk; (3) refrain from

1 sending him to any place outside of the United States; and (4) give an order enjoining DHS from
2 continuing to violate the undisturbed bond release order issued by an Immigration Judge.

3 Dated: August 21, 2025

Respectfully submitted,

4 /s/ Hillary Walsh

5 Hillary Walsh
6 Attorney for Petitioner-Plaintiff

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