

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

CRISTIAN AGUILAR MERINO,

Petitioner,

v.

GARRETT RIPA, *et al.*,

Respondents.

Case No. 1:25-cv-23845

NOTICE OF SUPPLEMENTAL AUTHORITIES

Petitioner files this notice to advise the Court of two recent decisions on the issues presented in this case, which were each decided after oral argument in this case on September 16. First, in *Maldonado Vazquez v. Feeley*, the U.S. District Court for the District of Nevada granted a preliminary injunction ordering the release of a non-citizen whose release on bond had been prevented by ICE's invocation of the automatic stay provision. Ex. 15. The court conducted a detailed analysis of the BIA's decision in *Matter of Yajure Hurtado* and wholly rejected that decision's reasoning in finding that the petitioner was detained under 8 U.S.C. § 1226(a) rather than § 1225(b). *Id.* at 21-28.

Second, in *Hasan v. Crawford*, the U.S. District Court for the Eastern District of Virginia granted a habeas petition and ordered the immediate release of a non-citizen in the same circumstances. Ex. 16. While not directly mentioning the *Hurtado* decision, the court similarly rejected its reasoning in a detailed decision finding that the non-citizen was detained under 8 U.S.C. § 1226(a), focusing especially on ICE's consistent treatment of the petitioner as detained under that provision. *Id.* at 14-16. The court ordered the petitioner's release from custody by a set

a time later that day and enjoined the government from re-detaining petitioner so long as he complies with the bond order. *See* 1:25-cv-1408, Dkt. No. 16 (E.D. Va. Sept. 19, 2025).

Respectfully submitted,

Dated: September 22, 2025

/s/ Felix A. Montanez

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Admitted Pro Hac Vice

CERTIFICATE OF SERVICE

I, undersigned counsel, hereby certify that I filed this Response to Motion to Dismiss and all attachments using the CM/ECF system, which will send a notice of this filing to all participants in this case.

Dated: September 22, 2025

Respectfully submitted,

/s/ Felix Montanez
Counsel for Petitioner