

**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 decisions on the issues presented in this case, which were decided recently and after oral argument on September 16, 2025. First, in *Hernandez Lopez v. Hardin*, the U.S. District Court for the Middle District of Florida granted in part a TRO enjoining the Department of Homeland Security from removing the noncitizen from the Court's jurisdiction. Ex. 17. In its decision, the Court found that the noncitizen petitioner was likely to succeed on the merits of his habeas petition, acknowledging that every district court to have addressed the issue has concluded that a non-citizen arrested on a warrant in the interior of the United States is detained under 8 U.S.C. § 1226(a) and should be released or, at minimum, afforded a bond hearing. *Id.* at 5.

Similarly, in *Lopez-Arevelo v. Ripa*, the U.S. District Court in the Western District of Texas granted in part a habeas petition after determining that mandatory detention of a noncitizen under § 1225(b) without the opportunity for a bond hearing constitutes a violation of due process. Ex. 18. In its analysis, the Court noted the near universal rejection of *Matter of Yajure Hurtado* by federal district courts across the country and found that the risk of erroneous deprivation of the

non-citizen's liberty without a bond hearing outweighed any governmental interest in advancing its novel jurisdictional arguments. *Id* at 7. The court ordered the noncitizen to be released or provided with a bond hearing before an immigration judge. *Id.* at 13.

Respectfully submitted,

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/s/ Ian Austin Rose

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