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Attorney for Petitioners

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

ODTMAN ALFONSO CARDENAS
CASTELLANOS, et al.,

CASE NO. 5:25-cv-07962-NW

Petitioners,

**PETITIONERS' SUPPLEMENTAL
BRIEF IN SUPPORT OF
PRELIMINARY INJUNCTION**

SERGIO ALBARRAN, et al.,

Respondents.

1 The Court granted Petitioners' request for a preliminary injunction on October 14, 2025 and
2 ordered the parties to immediately inform the Court, within three days, of any changes to
3 Petitioners' immigration status or upcoming immigration proceedings. Petitioners now submit this
4 supplemental brief to update the Court on changes that occurred at four of the Petitioners' October
5 9, 2025 master calendar hearings.

6 At the October 9, 2025 master calendar hearings, the Immigration Judge granted the
7 Department of Homeland Security's motions to dismiss the cases of the following Petitioners:
8 Odtman Alfonso Cardenas Castellanos, Alizda Nallive Lara Del Rio,¹ Herlinda Patino Gonzalez,
9 and Yolima Trujillo Mejia. They all have until November 10, 2025 to file an appeal with the Board
10 of Immigration Appeals. Petitioner Ermides Garzon Meneses remains scheduled for his next master
11 calendar hearing on December 17, 2026, and his case has not been dismissed.

12 Although four of the Petitioners had their removal proceedings dismissed, this does not
13 change Petitioners' argument that due process prevents the government from re-detaining them
14 absent a pre-deprivation bond-hearing. *See Mendoza v. Albarran*, No. 25-cv-08205-VC, 2025 U.S.
15 Dist. LEXIS 202876, *2 (N.D. Cal. October 10, 2025) ("Regardless of which immigration statute
16 applies to the petitioners, the petitioners have a liberty interest in remaining free from detention that
17 has developed as a result of the government releasing the petitioners from detention on their own
18 recognizance."). In addition, even if the Court had not yet granted a preliminary injunction in this
19 case, the government would still be prohibited from re-detaining Petitioners under 8 U.S.C. §
20 1225(b)(1) because of the stay issued in *Make the Rd. N.Y. v. Noem*, No. 25-cv-190 (JMC), 2025
21 LX 389496 (D.D.C. Aug. 29, 2025). As such, the dismissal of Petitioners' immigration cases has no
22 immediate effect on this litigation.

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27 ¹ Counsel for Petitioners apologizes for the discrepancy the Court pointed out at n.3 in its order granting
preliminary injunction would like to clarify that Ms. del Rio entered the United States in December 2023.

1 Date: October 15, 2025

Respectfully Submitted,

2 /s/ Jordan Weiner

3 Jordan Weiner

4 *Attorney for Petitioners*

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