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**IN THE UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA**

JOSE ANGELES MORALES SANCHEZ,


Petitioner,

v.

PAM BONDI, in her official capacity as
Attorney General, et al.,

Respondents.

No. 5:25-cv-02539-AB-DTB

**PETITIONER'S REPLY TO
RESPONDENT'S OPPOSITION TO
APPLICATION FOR TEMPORARY
RESTRAINING ORDER [DKT. 8]**

Honorable André Birotte Jr
United States District Judge

INTRODUCTION

Respondent's content that the Petitioner, Jose Angel Morales Sanchez ("Morales") failed to establish entitlement to the extraordinary remedy of a TRO and that his TRO should be denied because (1) Morales has not shown that the government lacked authority to detain him, that the government revoked his release improperly, and that the only remedy for such a Procedural deficiency would be ordering his immediate release from detention; (2) Petitioner fails to Establish Entitlement to a TRO mandating advance notice to a third country, and (3) that the balancing of interests would favor the government. We will respond to these arguments in turn.

I. Respondents Have Not Shown And Identified The "Changed Circumstances" In Morales' Case Upon Which They Based Their Rearrest On And Have Not Provided Valid Bases For Their Revocation Of His Release And Grant Of His Withholding of Removal

Respondents contend that the government is allowed to revoke Morales' supervision "for nearly any reason, and the process for any objections is exceedingly limited." Despite their broad interpretation of the government's authority, they have yet to provide a single reason. On their *Notice of Revocation of Release*, Respondents state that their decision to revoke his supervision was "based on a review of your official alien file and a determination that there are changed circumstances in [his] case" [Dkt. No.8, Ex A, p. 12]. Morales was granted protection in the form of Withholding of Removal over seven (7) years ago on June 6, 2018. During the pendency of his case with the immigration court, and for years thereafter, Morales has complied with his required appointments with immigration. Morales has not suffered a conviction under any state or federal law, he has not exited the United States, and nothing in his personal life exists that would call into question the immigration court's assessment of the merits of his

1 application for relief. Respondent remains a cis-gender gay man that would be subject to life
2 threatening homophobia most anywhere in the world. This danger exists while he is being
3 detained in the United States, requiring that Morales be housed protectively so long as he is in
4 ICE custody. See Prison Rape Elimination Act, 34 U.S.C. §30301. Despite protections under
5 the PREA, immigration detention centers have fallen short in protecting the human rights of gay
6 and transgender immigration detainees. As of 2025, and at the direction of U.S. Attorney
7 General Pam Bondi, the Department of Justice has eliminated all funding to National Prison
8 Rape Elimination Act (PREA) Resource Center, eliminated programs include trained prison
9 sexual assault auditors, the tracking the results of PREA investigations, and provided resources
10 to imprisoned sexual abuse survivors. The cuts are in effect now. This same danger, if not more
11 life threatening, exist to any third country the government might choose to remove Mr. Morales
12 to. The Petitioner thus requests further explanation or justification as to the “changed
13 circumstances” the government has based its revocation on and their decision to rearrest.
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15 While Respondent’s may try to argue that the “change in circumstances” is that ICE has
16 determined there is significant likelihood of removal in the reasonably foreseeable future,
17 Petitioner has now been in custody since September 10th, 2025, with no indication of how much
18 longer he will be detained. As mentioned above, every day that Petitioner spends in detention, is
19 a day that his health, physical and psychological well-being, and safety are in jeopardy.
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21 Lastly, Respondent’s point to *Moran v. U.S. Dep’t of Homeland Sec.*, arguing that
22 “Petitioners has failed to point to any constitutional, statutory, or regulatory authority to support
23 [his] contention that they have a protected interest in remaining at liberty in the United States
24 while they have valid removal orders” (Dkt. No. 8, p. 4). To this point, Petitioner asserts that his
25 Fourth and Fifth Amendment rights have been violated. The Fourth Amendment protects “[t]he
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1 rights of the people to be secure in their persons, houses, papers, and effects, against
2 unreasonable searches and seizures.” U.S. Const., amend. IV. In this case, Petitioner was arrested
3 unreasonably and in violation of his Fourth Amendment because he was complying with the
4 conditions of his supervision, was not a flight risk, and did not have any change in
5 circumstances, yet he was arrested at his ICE Check-In. Additionally, the Fifth Amendment
6 provides that “[n]o person shall... be deprived of life, liberty, or property, without due process of
7 law.” U.S. Const., amend. V. In this case, Petitioner was redetained without notice and without
8 an informal hearing to respond to the reasons for his revocation. The government admits, “while
9 the regulation provides the detainee some opportunity to respond to the reasons for revocation
10 ...,” the government has yet to afford this opportunity after three weeks of having Petitioner
11 detained and actively looking for a third country to remove him to (Dkt. No. 8, p. 4).

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14 Thus, based on the governments failure to outline the **changed** circumstances of his
15 redetention and the revocation of his supervision, the violations of Petitioner’s Fourth and Fifth
16 Amendment rights, and the failure to provide the Petitioner with an opportunity to respond to the
17 reasons of his revocation, this TRO should in fact be granted and the Petitioner should be
18 released.
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20 **II. Respondents Violations Of Petitioner’s Fourth And Fifth Amendment Rights**
21 **Clearly Establish Irreparable Harm and A Clear Entitlement to a TRO Mandating**
22 **Advance Notice of Removal to a Third County**

23 Respondents argue that we have already received several assurances from ICE that
24 Petitioner will not be removed to a third country without such advance notice. However, these
25 assurances come after multiple attempts to get in contact and locate Petitioner. After appearing in
26 person at Adelanto and reaching out to multiple ICE departmental emails, we were finally able to
27 get in contact with someone that could help us. Moreover, we acknowledge that we received the
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2 the Notice Of Revocation on the same day that we submitted the TRO application. However, the
3 notice was mailed to us physically and it was emailed to us or provided to Petitioner personally.

4 Moreover, as mentioned, despite the government acknowledging that they have a duty to
5 provide Petitioner with an opportunity to respond to the reasons of his revocation, they have yet
6 to do after three weeks of having him detained. Additionally, the government maintains that ICE
7 has determined there is a significant likelihood of removal in the reasonably foreseeable future.
8 Yet, it has been three weeks of Petitioner being detained and with paired with the government
9 shutdowns, his detention does not seem to foreseeably end soon. Thus, it appears that the
10 government is not always true to what their regulations say they should do, and every day that
11 the Petitioner spends detained, is a day that his constitutional rights are violated. For these
12 reasons, it is absolutely imperative and clearly established that advance notice to a third country
13 is warranted.
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18 **III. Respondents Violations To An Individual's Constitutional Rights Supersede**
19 **Enforcement of Immigration Laws**

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21 We contend that there is a significant public interest in enforcement of the United State's
22 immigration laws. However, Petitioner was granted withholding and has not violated his terms of
23 supervision. The government contends that there are changed circumstances in his case but have
24 felt to shed light to any. While enforcing our immigration laws are imperative, the U.S.
25 Constitution is the supreme law of the land and every day that Petitioner remains detained, is a
26 day that his constitutional rights are being abridged. For these reasons, it is clear that the balance
27 of public interests favors the Petitioner in this case.
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CONCLUSION

The Petitioner restfully requests that his TRO Application be granted and that his Habeas Petition be approved.

Dated: October 1, 2025

Respectfully submitted,

/s/ Patrick Valdez

Patrick F. Valdez

Valdez Law Firm

Attorney for the Petitioner

VERIFICATION

I, Patrick F. Valdez, hereby declare under penalty of perjury of the laws of the State of California and the United States that the facts alleged in the foregoing **PETITIONER'S REPLY TO RESPONDENT'S OPPOSITION TO APPLICATION FOR TEMPORARY RESTRAINING ORDER** are to the best of my knowledge true and correct.

Executed on this 1st day of October, 2025 in Inglewood, CA.

By: /s/ Patrick Valdez
Patrick F. Valdez
Attorney for the Petitioner