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11 UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA

13 ACABAL RAMOS, MAURA MARIA

14 Petitioner,

15 v.

16 *Warden of* ADELANTO DETENTION
17 FACILITY, et al.,

18 Respondents.

Case No. 5:25-cv-02649-WLH-ADS

**ANSWER TO PETITION FOR WRIT
OF HABEAS CORPUS; SUGGESTION
OF MOOTNESS**

I. INTRODUCTION

Petitioner Maura Maria Acabal Ramos (“Petitioner”) filed her Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 requesting immediate release from immigration detention at the Adelanto Immigration Processing Center. Respondent respectfully requests that the Court deny the Petition because Petitioner has an upcoming *Rodriguez* bond hearing, which moots out this matter. Petitioner has been detained at the Adelanto ICE Processing Center since June 20, 2025. Petitioner is entitled to a *Rodriguez* bond hearing after being detained for 180 days, and DHS has notified EOIR to schedule the *Rodriguez* bond hearing. The Court has yet to issue the hearing notice, but Respondents will file the hearing notice once issued. Lastly, the Petition fails to allege any specific factual basis for habeas relief, violating the habeas pleading standard. Accordingly, the petition should be dismissed.

II. ARGUMENT

A. Providing the Petitioner with a Rodriguez bond hearing moots the requested relief

Providing the Petitioner with a bond hearing, or otherwise releasing her from detention, moots the requested preliminary injunction and this habeas petition more generally. *See, e.g., Javier Gonzales et al. v. Kristi Noem et al.*, 5:25-cv-02054-ODW-BFM, Dkt. no. 16 (August 25, 2025 minute order by Hon. Judge Wright, denying as moot the petitioners’ pending request for a preliminary injunction given their receipt pursuant to a TRO of 1226(a) bond hearings and issuing the petitioners an order to show cause re: dismissal); Dkt. no. 17 (notice of voluntary dismissal); and Dkt. no. 18 (order dismissing petition). *See also Moises Salomon Zaragoza Mosqueda v. Kristi Noem et al.*, 5:25-cv-002304-CAS-BFM, Dkt. no. 15 (September 17, 2025 minute order by Hon. Judge Snyder, denying preliminary injunction and issuing OSC re dismissal for mootness given the petitioners’ receipt of immigration bond hearings); Dkt. no. 16 (notice of voluntary dismissal); *Coc Tut v. Kristi Noem*, 5:25-cv-02701-DOC (October 30, 2025 order denying preliminary injunction as moot and issuing OSC re: dismissal

1 where bond hearings were provided to detainees pursuant to TRO).

2 Accordingly, Petitioner's habeas petition is moot.

3 **B. The Petition Fails to Plead Any Factual Basis for Granting Relief**

4 1. The Petition's Fourth Amendment Allegations Are Insufficient

5 The Petition contends that Petitioner's Fourth Amendment rights were violated
6 because of the circumstances surrounding her arrest at her place of employment. Although
7 the Fourth Amendment prohibits "unreasonable searches and seizures" by the
8 Government, ICE is permitted to make warrantless stops for immigration enforcement if
9 it has reasonable suspicion of a violation. *See 8 U.S.C. § 1357(a)(2)* (any authorized
10 employee of the Service shall have the power without warrant to "arrest any alien in the
11 United States, if he has reason to believe that the alien so arrested is in the United States
12 in violation of any law or regulation made in pursuance of law regulating the admission,
13 exclusion, or expulsion of aliens, or to arrest any alien in the United States, if he has reason
14 to believe the alien so arrested is in the United States in violation of any such law or
15 regulation and is likely to escape before a warrant can be obtained for his arrest" A
16 warrantless arrest does not automatically equate to a violation of Fourth Amendment
17 rights, and without further facts, the Petition's conclusory statements cannot form the basis
18 for a cognizable Fourth Amendment claim. The Petition does not plead any facts showing
19 that ICE did not have reasonable suspicion in making the arrest. Furthermore, the
20 Petitioner does not plead any facts showing that she is not properly subject to immigration
21 detention independent of the circumstances of her arrest. Rather, the evidence attached to
22 the petition reflects that Petitioner is subject to a removal order that is pending appeal
23 before the Board of Immigration Appeals.

24 2. The Petition's Fifth Amendment Allegations are Insufficient

25 Similarly, the Petition's Fifth Amendment claim lacks sufficient specificity.
26 Detention during removal proceedings has been upheld against procedural and substantive
27 due process challenges. *See Demore v. Kim*, 538 U.S. 510, 528, 531 (2003) (noting that
28 prior to the issuance of a final order of removal, "[W]hen the Government deals with

1 deportable aliens, the Due Process Clause does not require it to employ the least
2 burdensome means to accomplish its goal”); *Prieto-Romero v. Clark*, 534 F.3d 1053, 1063
3 (9th Cir. 2008) (no habeas relief warranted where petitioner’s filing of petition for review
4 with Ninth Circuit occasioned delay of removal). The Petition is devoid of any facts
5 demonstrating any due process violation that would warrant release. Additionally,
6 Petitioner will receive a *Rodriguez* bond hearing.

7 **III. CONCLUSION**

8 Respondent respectfully requests that the Court deny the habeas petition and dismiss
9 the action.

10 Dated: December 1, 2025

Respectfully submitted,

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