BRETT A. SHUMATE
Assistant Attorney General
Civil Division

RUTH ANN MUELLER
Acting Assistant Director
Office of Immigration Litigation

DAVID J. BYERLEY
Acting Senior Litigation Counsel

JAIME A. SCOTT
Trial Attorney
DC Bar # 90027182
U.S. Department of Justice, Civil Division
Office of Immigration Litigation
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
Tel: (202) 305-3620
Email: Jaime.A.Scott@usdoj.gov

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

DAVID HOYOS AMADO,

Petitioner,

v.

U.S. DEPARTMENT OF JUSTICE, *et al.*,

Respondents.

Case No. 25-cv-2687-LL(DDL)

RESPONSE IN OPPOSITION TO PETITION FOR WRIT OF HABEAS CORPUS AND MOTION FOR A TEMPORARY RESTRAINING ORDER

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INTRODUCTION

Respondents U.S. Department of Justice, Todd Lyons, Acting Director of Immigration and Customs Enforcement ("ICE"), Christopher J. LaRose, Senior Warden of Otay Mesa Detention Center, and Attorney General Pam Bondi, in their official capacities, hereby file a response in opposition to the Petition for a Writ of Habeas Corpus ("Petition") and Motion for a Temporary Restraining Order ("Motion") as directed by the court in its October 10, 2025 order. *See* ECF No. 4. Petitioner David Hoyos Amado filed the Petition on October 9, 2025, alleging that his detention in civil immigration custody without a bond hearing is a violation of his Fifth Amendment Due Process rights, the U.S. Constitution, and the Immigration and Nationality Act ("INA"). Pet. at 20–21, ECF No. 1. On that same date, Petitioner sought the injunctive relief of immediate release from custody, or in the alternative, an immediate bond hearing because of the alleged violations. Mot. at 1, ECF No. 2. The Court should deny the Petition and Motion for the following reasons.

First, Petitioner is appropriately subject to detention pursuant to 8 U.S.C. § 1225(b)(2)(A), which permits detention when an immigration officer "determines that [he is] not clearly and beyond a doubt entitled to be admitted into the country." 8 U.S.C. § 1225(b)(2)(A). Petitioner's arguments based on case law pertaining only to 8 U.S.C. § 1226 detention thus fail to prove his claims.

Second, Petitioner's mandatory detention pursuant to 8 U.S.C. § 1225(b)(2)(A) does not violate the U.S. Constitution and laws. Pursuant to "more

than a century of [Supreme Court] precedent," inadmissible arriving aliens seeking admission, like the Petitioner, have only those rights provided by statute. *See Department of Homeland Security v. Thuraissigiam*, 591 U.S. 103, 138-39 (2020) (collecting cases); *id.* at 140 ("'[A]n alien seeking initial admission to the United States . . . 'has only those rights regarding admission that Congress has provided by statute.'").

Third, Petitioner has no constitutional right to a bond hearing. Section 1225(b)(2)(A) does not provide for a custody determination by this Court or a custody hearing before an immigration judge. *See also Jennings v. Rodriguez*, 583 U.S. 281, 297 (2018).

RELEVANT BACKGROUND

Petitioner, a native and citizen of Colombia, unlawfully entered the United States on or about September 14, 2024. Decl. of Marcus Vera ¶¶ 5–6, Ex. A. On that same date, Petitioner was encountered by Border Patrol who then issued Petitioner an order of expedited removal pursuant to 8 U.S.C. § 1225(b)(1). *Id.* ¶¶ 6–7. Although Petitioner received a negative credible fear determination, under DHS's discretion, he was later issued a Notice to Appear in 8 U.S.C. § 1229a proceedings. *Id.* ¶¶ 8–9. Thus, Petitioner is detained pursuant to 8 U.S.C. § 1225(b)(2)(A). *Id.* ¶ 9, 16.

On January 9, 2025, Petitioner requested a bond determination from the Immigration Judge, but withdrew his request at the hearing on January 17, 2025,

before a decision was made. *Id.* ¶ 11. No further bond requests have been made by Petitioner. *Id.*

On September 24, 2025, Petitioner was ordered removed to Colombia by an Immigration Judge. *Id.* ¶ 13. On October 3, 2025, Petitioner filed a Notice of Appeal with the Board of Immigration Appeals. *Id.* ¶ 14. As such, the order of removal entered by the Immigration Judge will not become administratively final, and cannot be executed, until such time as the appeal is dismissed. *Id.* ¶ 15.

STANDARD OF REVIEW

I. Writ of Habeas Corpus

It is unchallenged that "[t]he district courts of the United States . . . are courts of limited jurisdiction. They possess only that power authorized by Constitution and statute." *Exxon Mobil Corp. v. Allopath Servs., Inc.*, 545 U.S. 546, 552 (2005) (internal quotation omitted). "[T]he scope of habeas has been tightly regulated by statute, from the Judiciary Act of 1789 to the present day . . . ." *Thuraissigiam*, 591 U.S. at 125 n.20. Title 28 U.S.C. § 2241 provides district courts with jurisdiction to hear federal habeas petitions.

Habeas Corpus Rule 2(c), which the Court should apply in this 28 U.S.C. § 2241 action, "provides that the petition must 'specify all the grounds for relief available to the petitioner' and 'state the facts supporting each ground.'" *Mayle v. Felix*, 545 U.S. 644, 655 (2005) (quoting Rules Governing Section 2254 Cases in the United States District Court ("Habeas Rules")); *see also James v. Borg*, 24 F.3d

20, 26 (9th Cir. 1994) ("Conclusory allegations which are not supported by a statement of specific facts do not warrant habeas relief."). Petitioner bears the burden to prove he is entitled to the granting of the writ of habeas corpus by demonstrating that his custody violates the Constitution, laws, or treaties of the United States. *See* 28 U.S.C. § 2241(c)(3); *Lambert v. Blodgett*, 393 F.3d 943, 969 n.16 (9th Cir. 2004); *Snook v. Wood*, 89 F.3d 605, 609 (9th Cir. 1996).

Where it "plainly appears from the face of the petition and any attached exhibits that the petitioner is not entitled to relief in the district court, the judge must dismiss the petition." *Trollope v. Vaughn*, No. CV1803902JLSJDE, 2018 WL 3913922, at *2 (C.D. Cal. 2018) (citing Habeas Rules 1, 4). Similarly, "if the record refutes the applicant's factual allegations or otherwise precludes habeas relief, a district court is not required to hold an evidentiary hearing." *See Schriro v. Landrigan*, 550 U.S. 465, 474 (2007).

II. Temporary Restraining Order

The standard for issuing a temporary restraining order is identical to the preliminary injunction standard. *See Stuhlbarg Intern. Sales Co., Inc. v. John D. Brushy and Co., Inc.*, 240 F.3d 832, 839 n. 7 (9th Cir. 2001). "A preliminary injunction is an 'extraordinary and drastic remedy'" that "is never awarded as of right." *Munaf v. Geren*, 553 U.S. 674, 689–90 (2008) (citation omitted). For this court to grant Petitioner the extraordinary remedy of a injunctive relief, he must establish: "that he is likely to succeed on the merits, that he is likely to suffer

irreparable harm in the absence of preliminary relief, that the balance of equities tips in his favor, and that an injunction is in the public interest." *All. for the Wild Rockies v. Cottrell*, 632 F.3d 1127, 1131 (9th Cir. 2011) (citing *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 20 (2008).

ARGUMENT

I. Petitioner's Habeas Petition Should Be Dismissed.

A. Petitioner is detained pursuant to 8 U.S.C. § 1225(b)(2)(A).

Petitioner is detained in ICE custody pursuant to 8 U.S.C. § 1225(b)(2)(A) as an applicant for admission subject to mandatory detention. Decl. of Marcus Vera ¶ 16, Ex. A. Thus, Petitioner remains in lawful, mandatory detention during the pendency of his removal proceedings.

The Immigration and Nationality Act ("INA") defines an "applicant for admission" as "[a]n alien present in the United States who has not been admitted or who arrives in the United States (whether or not at a designated point of arrival . . .)." 8 U.S.C. § 1225(a)(1); *see also Jennings*, 583 U.S. at 287. When the "examining" official "determines that an alien seeking admission is not clearly and beyond a doubt entitled to be admitted," then that noncitizen receives removal proceedings under 8 U.S.C. § 1229a. 8 U.S.C. § 1225(b)(2)(A). Importantly, § 1225(b)(2)(A) mandates detention until the conclusion of removal proceedings. See *Jennings*, 583 U.S. at 299.

In some circumstances, an immigration official may determine that a

noncitizen qualifies for expedited removal proceedings under § 1225(b)(1) and removal proceedings under § 1225(b)(2). "The government has discretion to place noncitizens in standard removal proceedings even if the expedited removal statute could be applied to them." *Flores v. Barr*, 934 F.3d 910, 916–17 (9th Cir. 2019) (*citing Matter of E-R-M- & L-R-M-*, 25 I. & N. Dec. 520, 524 (BIA 2011)); *see also Matter of M-S-*, 27 I. & N. Dec. 509, 510 (A.G. 2019) (stating "DHS may place him in either"). Ultimately, it is the manner in which an alien arrived and the timing and location of his arrest and detention, rather than the type of removal proceedings in which he may be placed, that determines his status as an applicant for admission under § 1225(b). *See Thuraissigiam*, 591 U.S. at 140 (An alien "who tries to enter the country illegally is treated as an 'applicant for admission.'") (quoting 8 U.S.C. § 1225(a)(1)); *id.* ("[A]nd an alien who is detained shortly after unlawful entry cannot be said to have 'effected an entry,'" and is in the same position as an alien seeking admission at a port of entry) (quoting *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001)).

Petitioner's Petition and subsequent motion rest on the incorrect claim that Petitioner is detained pursuant to 8 U.S.C. § 1226(c). *See* Pet. 6; Mot. 4. The case law on which these briefings rest does not concern individuals detained under § 1225(b), a statute requiring mandatory detention during the pendency of removal proceedings. As such, Petitioner has failed to support the arguments in his Petition, and it should be dismissed.

B. Petitioner's detention pursuant to 8 U.S.C. § 1225(b)(2)(A) does not violate the Constitution or laws of the United States.

As stated above, Petitioner is held in mandatory detention pending the resolution of his removal proceedings. Petitioner's numerous citations to authorities involving the requirement for an individualized bond determination in § 1226, Pet. 8–14; Mot. 6–8, do nothing to explain why Petitioner's custody under § 1225(b) is unlawful. Petitioner fails to cite any case law that addresses or implicates those individuals detained under § 1225(b)(2)(A) that supports his claims.

Section 1225(b) "mandate[s] detention of aliens throughout the completion of applicable proceedings and not just until the moment those proceedings begin." *Jennings*, 583 U.S. at 302. This conclusion conforms with the long-running understanding that the due process rights of arriving aliens are limited. *See Shaughnessy v. United States ex rel. Mezei*, 345 U.S. 206, 212 (1953). The Supreme Court reaffirmed this in *Department of Homeland Security v. Thuraissigiam*, 591 U.S. 103 (2020), where it held that "an alien at the threshold of initial entry" has no procedural due process rights "other than those afforded by statute." 591 U.S. at 107. The Ninth Circuit has continued to apply this principal to arriving aliens placed into removal proceedings under 8 U.S.C. § 1225(b). *See Mendoza-Linares v. Garland*, 51 F.4th 1146, 1167 (9th Cir. 2022) ("any rights [Petitioner] may have in regard to removal or admission are purely statutory in nature and are not derived from, or protected by, the Constitution's Due Process Clause."). "[Sections] 1225(b)(1) and

(b)(2) . . . provide for detention for a specified period of time," namely "throughout the completion of applicable proceedings." *Jennings*, 583 U.S. at 299, 302; *id.* at 300 ("neither provision can reasonably be read to limit detention to six months.").

Even if Petitioner were not an applicant for admission held pursuant to § 1225(b)(2)(A), his detention is not indefinite, and it has not been unconstitutionally prolonged to the extent that some courts have found continued detention without a bond hearing violates due process. *See, e.g., Yagao v. Figueroa*, No. 17-CV-2224-AJB-MDD, 2019 WL 1429582, at *1 (S.D. Cal. Mar. 29, 2019). Rather, Petitioner's removal is reasonably foreseeable at the conclusion of removal proceedings. *See Prieto-Romero v. Clark*, 534 F.3d 1053, 1063 (9th Cir. 2008) ("[T]he 'basic purpose' of immigration detention is 'assuring the alien's presence at removal and . . . this purpose was not served by the continued detention of aliens whose removal was not 'reasonably foreseeable.'"). Petitioner foreseeably remains capable of being removed—even if it has not yet finally been determined that he should be removed—and so the government retains an interest in assuring presence at removal. *See id.* at 1065. Indeed, an immigration judge has already denied Petitioner's requested relief and ordered him removed. Decl. of Marcus Vera ¶ 13, Ex. A. Given these facts, Petitioner's continued detention continues to "serve its purported immigration purpose." *See Demore v. Kim*, 538 U.S. 510, 527–28 (2003).

Nor is Petitioner's detention at the time of the filing of the Petition constitutionally prolonged. *Prieto-Romero*, 534 F.3d at 1065 (finding no

constitutional violation in detention of more than three years under § 1226(a)); *Casas-Castrillon v. DHS*, 535 F.3d 942, 949 (2008) (finding no constitutional violation in detention of nearly seven years under § 1226(a)); *Yagao*, 2019 WL 1429582, at *1 (this Court afforded petitioner another bond hearing after forty-two months of detention under § 1226(c) pending removal proceedings); *Singh v. Barr*, 400 F. Supp. 3d 1005, 1013 (S.D. Cal. 2019) (petitioner's detention, under § 1226(a) with an appeal pending at the Ninth Circuit for seven months, did not violate due process because removal was reasonably foreseeable and the interest in assuring his presence at removal). And any speculative future "delay inherent in the BIA appellate process", Mot. 2, is a clam unripe for suit because it does not discuss a current, unlawful detention. *See Flaxman v. Ferguson*, 151 F.4th 1178, 1184 (9th Cir. 2025) (holding a claim is unripe if it rests upon "contingent future events that may not occur as anticipated, or indeed may not occur at all.").

Because Petitioner is an applicant for admission, he is not entitled to additional due process beyond what is provided to him by Congress. *Thuraissigiam*, 591 U.S. at 138. And because his detention is neither indefinite nor prolonged, his detention under § 1225(b)(2)(A) does not violate the U.S. Constitution or laws. *Prieto-Romero*, 534 F.3d at 1063. Therefore, Petitioner has failed to support his claims, and the Petition should be dismissed.

C. Petitioner does not have a constitutional right to a bond hearing.

Petitioner provides no support or argument as to why he, as an individual

detained pursuant to 8 U.S.C. § 1225(b)(2)(A), is entitled to an individualized bond hearing, and even if he did, Petitioner has yet to seek said bond determination.

Section 1225 does not afford Petitioner a right to a bond hearing by this Court or before an immigration judge. *See Jennings*, 583 U.S. at 300 (holding that because an individual detained under § 1225(b) may be temporarily paroled under 8 U.S.C. § 1182(d)(5)(A), it is implie[d] that there are no other circumstances under which aliens detained under § 1225(b) may be released."); *cf.* 8 U.S.C. § 1226(a) ("the Attorney General may release the alien on bond . . . or conditional parole"). Because Petitioner is held in mandatory detention pursuant to 8 U.S.C. § 1225(b) pending further removal proceedings, Petitioner is not entitled to a bond hearing by statute. 8 U.S.C. § 1225(b) "mandate[s] detention of applicants for admission until certain proceedings have concluded." *Jennings*, 583 U.S. at 297. Neither provision "imposes any limit on the length of detention" or "says anything whatsoever about bond hearings." *Id.* The Ninth Circuit has held, by extending the logic of *Jennings*, that individuals in mandatory detention prior to removal are not statutorily entitled to a bond hearing. *Avilez v. Garland*, 69 F.4th 525, 536 (9th Cir. 2023).

Further, even if Petitioner was entitled to bond, Petitioner has withdrawn his only request for such a hearing, failing to exhaust his own administrative remedies before seeking relief in habeas. *See Chavez v. Immigr. & Customs Enf't Field Off. Dir.*, No. C23-1631-JNW-SKV, 2024 WL 1661159 (W.D. Wash. Jan. 25, 2024) (denying habeas petition seeking bond hearing because the Petitioner withdrew his

only request for bond prior to filing the Petition), *R&R adopted*, 2024 WL 1658973 (W.D. Wash. Apr. 17, 2024). Petitioner provides no explanation in his Petition or Motion why he has not sought the bond he fervently claims he is entitled to, which is required by the Ninth Circuit. *Castro–Cortez v. INS*, 239 F.3d 1037, 1047 (9th Cir. 2001) ("habeas petitioners exhaust available judicial and administrative remedies before seeking relief under § 2241."); *Leonardo v. Crawford*, 646 F.3d 1157, 1160 (9th Cir. 2011) ("When a petitioner does not exhaust administrative remedies, a district court ordinarily should either dismiss the petition without prejudice or stay the proceedings until the petitioner has exhausted remedies, unless exhaustion is excused."). Therefore, Petitioner's claim that the denial of a bond hearing is a violation of his Due Process rights, the U.S. Constitution, and the INA has not been adequately supported, and the Petition should be denied.

D. Any challenge to conditions of confinement does not sound in habeas.

The Petition also discusses human rights protections afforded by the U.S. Constitution and laws. Pet. at 19. Although it is unclear which counts this section supports, to the extent this argument is challenging the conditions of Petitioner's confinement—for example "Petitioner's prolonged isolation at Otay Mesa, without visitation rights fully exercised due to family separation fears, and amid reports of substandard conditions in ICE facilities"—this claim does not sound in habeas. *See Mendoza-Linares v. Garland*, No. 21-cv-1169-BEN (AHG), 2024 WL 3316306, at

*2 n.1 (S.D. Cal. 2024) (citing *Nettles v. Grounds*, 830 F.3d 922, 933 (9th Cir. 2016)).

A district court "may grant a writ of habeas corpus when the petitioner 'is in custody in violation of the Constitution or laws or treaties of the United States.'" *Sokhean Keo v. Warden of the Mesa Verde Ice Processing Ctr.*, No. 1:24-cv-00919-HBK (HC), 2025 WL 1029392, at *3 (E.D. Cal. 2025) (quoting 28 U.S.C. § 2241(c)(3)). "[H]abeas is at its core a remedy for unlawful executive detention." *Thuraissigiam*, 591 U.S. at 119 (internal quotation omitted); *see also Pinson v. Carvajal*, 69 F.4th 1059, 1068 (9th Cir. 2023) (concluding that, when considering whether a claim sounds in habeas, "the relevant question is whether, based on the allegations in the petition, release is *legally required* irrespective of the relief requested."), *cert. denied sub nom. Sands v. Bradley*, 144 S. Ct. 1382 (2024). When a petitioner's claim "would not 'necessarily spell speedier release,' that claim does not lie at 'the core of habeas corpus,' and may be brought, if at all, under [42 U.S.C. § 1983]." *Skinner v. Switzer*, 562 U.S. 521, 535 n.13 (2011) (quoting *Wilkinson v. Dotson*, 544 U.S. 74, 82 (2005)). Therefore, challenges to conditions of confinement are "not cognizable in habeas." *Pinson*, 69 F.4th at 1070.

E. There is no need for an evidentiary hearing.

For the aforementioned reasons stated, Respondents maintain that an evidentiary hearing on the Petition is unnecessary. *See Schriro*, 550 U.S. at 474 ("[I]f the record refutes the applicant's factual allegations or otherwise precludes habeas

relief, a district court is not required to hold an evidentiary hearing."). Additionally, an Immigration Judge ordered Petitioner's removal to Colombia on September 24, 2025, and Petitioner filed a Notice of Appeal to the Board of Immigration Appeals on October 3, 2025. Decl. of Marcus Vera ¶¶ 13–14, Ex. A. Given this timeline, both the factual and legal circumstances in the Petition will have materially changed by the time the Court could feasibly conduct an evidentiary hearing, rendering such proceedings unwarranted.

II. Petitioner's Motion for a Temporary Restraining Order Should Be Dismissed.

A. Petitioner is unlikely to succeed on the merits of his claims.

In a motion for preliminary injunction, "[l]ikelihood of success on the merits is 'the most important' factor; if a movant fails to meet this 'threshold inquiry,' we need not consider the other factors." *California v. Azar*, 911 F.3d 558, 575 (9th Cir. 2018); *see also Assurance Wireless USA, L.P. v. Reynolds*, 100 F.4th 1024, 1031 (9th Cir. 2024) (ending the analysis of a preliminary injunction motion after concluding movants failed to show a likelihood of success on the merits or serious questions on the merits). This holds especially true "where a [movant] seeks a preliminary injunction because of an alleged constitutional violation." *Baird v. Bonta*, 81 F.4th 1036, 1042 (9th Cir. 2023).

In his Petition and subsequent motion for injunctive relief, Petitioner claims that his continued detention without an individualized bond hearing is a violation of

his Fifth Amendment Due Process rights, the U.S. Constitution, and the INA. However, Petitioner is lawfully detained pursuant to 8 U.S.C. § 1225(b)(2)(A) during the pendency of his removal proceedings, which does not afford Petitioner the right to an individualized bond hearing. Because, as explained above, Petitioner is unlikely to succeed on any of his claims, the Court should deny Petitioner injunctive relief.

B. Even if the Court considers the other injunctive relief factors, Petitioner fails to satisfy them.

Because Petitioner fails to show that he is likely to succeed on the merits of his claims, the court's inquiry into whether to grant injunctive relief should end. *See Azar*, 911 F.3d at 575. However, even if the court considered the remaining three factors, Petitioner fails to satisfy them.

First, Petitioner fails to show how he will face irreparable harm absent the grant of injunctive relief. "A plaintiff seeking preliminary relief must 'demonstrate that irreparable injury is likely in the absence of an injunction.'" *Azar*, 911 F.3d at 581. Although Petitioner claims he is subject to irreparable harm in confinement, Petitioner has failed to establish a violation of any constitutional rights. *See* Mot. at 5, 8; *Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012) (holding that a violation of *constitutional rights* is an irreparable injury); *cf. Apartment Ass'n of Los Angeles Cnty., Inc. v. City of Los Angeles*, 500 F. Supp. 3d 1088, 1100–01 (C.D. Cal. 2020), *aff'd*, 10 F.4th 905 (9th Cir. 2021) (holding there was no irreparable harm

where movement was unlikely to succeed on the merits of their constitutional claim). Detention alone is not an irreparable injury. *See Reyes v. Wolf*, No. C20-0377 JLR, 2021 WL 662659, at *3 (W.D. Wash. Feb. 19, 2021), *aff'd sub nom. Diaz Reyes v. Mayorkas*, 854 Fed.Appx. 190 (9th Cir. 2021) ("[C]ivil detention after the denial of a bond hearing [does not] constitute[] irreparable harm such that prudential exhaustion should be waived."). And Petitioner fails to show the need for *independent* injunctive relief because the habeas petition has the potential to result in the same relief sought in the Motion: release from custody. *See Sires v. State of Wash.*, 314 F.2d 883, 884 (9th Cir. 1963) (denying a preliminary injunction motion because Petitioner failed to show how any relief he was entitled to could not be fully realized during habeas corpus proceedings without the grant of an injunction).

Next, Petitioner fails to show how the balance of equities and public interest weighs in his favor. These factors merge when the Government is a party. *Azar*, 911 F. 3d at 575. Petitioner claims the equities require his immediate release; however, he fails to show that any constitutional rights violations have occurred. Further, the requested injunction would impose a significant burden on government agencies as it directly interferes with their discretionary powers under the removal statutes. It would not be equitable to the government nor serve public interest for this Court to seize control over the removal authority and decisions that Congress expressly commended to the Secretary's discretion in 8 U.S.C. § 1225(b). Further, it is well settled that the public interest in enforcement of the United States' immigration laws

is significant. *See, e.g.*, *United States v. Martinez-Fuerte*, 428 U.S. 543, 551-58 (1976); *Blackie's House of Beef*, 659 F.2d at 1221 ("The Supreme Court has recognized that the public interest in enforcement of the immigration laws is significant.").

C. Finally, if the Court grants injunctive relief, Petitioner must comply with Fed. R. Civ. P. 65(c).

Fed. R. Civ. P. 65(c) mandates that "[t]he court may issue a preliminary injunction . . . only if the movant gives security in an amount that the court considers proper to pay the costs and damages sustained by any party found to have been wrongfully enjoined or restrained." To the extent that the Court grants relief to Petitioner, Respondents respectfully request that the Court require Petitioner to post security for any taxpayer funds expended during the pendency of the Court's order. Failure of Petitioner to comply with Fed. R. Civ. P. 65(c) should result in denial or dissolution of the requested injunctive relief.

CONCLUSION

For the foregoing reasons, the Court should dismiss the Petition with prejudice and deny the Motion for a Temporary Restraining Order.

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Dated: October 20, 2025

Respectfully Submitted,

BRETT A. SHUMATE
Assistant Attorney General
Civil Division

RUTH ANN MUELLER
Acting Assistant Director
Office of Immigration Litigation

DAVID J. BYERLEY
Acting Senior Litigation Counsel

/s/ *Jaime A. Scott*
JAIME A. SCOTT
DC Bar # 90027182
Trial Attorney
U.S. Department of Justice
Civil Division
Office of Immigration Litigation
P.O. Box 868, Ben Franklin Station
Washington, DC 20044
Tel: (202) 305-3620
Email: Jaime.A.Scott@usdoj.gov

Attorneys for Respondents

CERTIFICATE OF SERVICE

I hereby certify that on October 20, 2025, I filed this document with the Clerk of the Court through the CM/ECF system, which will provide electronic notice and an electronic link to this document to all counsel of record.

Respectfully submitted,

/s/ Jaime A. Scott
JAIME A. SCOTT
Trial Attorney
United States Department of Justice
Civil Division
Office of Immigration Litigation

Attorney for Respondents