

1 ADAM GORDON
United States Attorney
2 ERIN M. DIMBLEBY
Assistant U.S. Attorney
3 California Bar No. 323359
Office of the U.S. Attorney
4 880 Front Street, Room 6293
San Diego, CA 92101-8893
5 Tel: (619) 546-6987
Fax: (619) 546-7751
6 Email: Erin.Dimbleby@usdoj.gov

7 Attorneys for Respondents

8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10
11 GONZALO GARCIA RUELAS,

12 Petitioner,

13 v.

14 CHRISTOPHER J. LAROSE; et al.,

15 Respondents.

Case No.: 3:25-cv-02798-BTM-BJW

JOINT MOTION TO DISMISS

16
17
18
19 The parties, through their respective counsel of record, respectfully and jointly
20 move for dismissal of this matter. On July 31, 2025, an immigration judge (IJ), after
21 finding Petitioner detained pursuant to INA § 236(a), granted Petitioner’s release from
22 DHS custody on a \$10,000 bond. On August 1, 2025, DHS filed a Form EOIR-43,
23 Notice of Intent to Appeal the Custody Redetermination, and indicated that it was
24 invoking the automatic stay provision of 8 C.F.R. § 1003.19(i)(2), resulting in
25 Petitioner’s continued detention and no opportunity to post bond. On October 24, 2025,
26 DHS moved to withdraw its appeal of the IJ’s bond order, which dissolved the stay.
27 Petitioner has now posted bond pursuant to the IJ’s order, and on October 28, 2025,
28 Petitioner was released from DHS custody.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Accordingly, the parties jointly agree and stipulate to dismissal of this case without prejudice. The parties further agree that each party will bear its own fees and costs of suit.

DATED: October 28, 2025

s/ John Atallah
JOHN J. ATALLAH
TAM C. WHEAT
KELSEY E. KREINDLER
Attorneys for Petitioner

DATED: October 28, 2025

ADAM GORDON
United States Attorney

s/Erin M. Dimbleby
ERIN M. DIMBLEBY
Assistant U.S. Attorney
Attorneys for Respondents

SIGNATURE CERTIFICATION

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures of the United States District Court for the Southern District of California, I hereby certify that the content of this document is acceptable to John J. Atallah, counsel for Petitioner, and that I have obtained Mr. Atallah's authorization to affix his electronic signature to this document.

DATED: October 28, 2025

s/Erin M. Dimbleby
ERIN M. DIMBLEBY
Assistant United States Attorney