



**Relles
Law**

December 19, 2025

Via ECF

Honorable Claire C. Cecchi, USDJ
Martin Luther King Jr. Building & US Courthouse
50 Walnut Street
Newark, NJ 0710

Re: *Yauripoma v. Tsoukaris*, No. 25-16820

Your Honor:

Kindly consider this letter in response to the Respondents' "letter response" dated December 4, 2025. The Respondents asserted therein that their position is that the Petitioner is detained pursuant to § 1225(b)(2) as an applicant for admission pursuant to *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). The Respondents declined to file a formal answer and instead sought to incorporate by reference their position articulated earlier in *Vasquez-Salazar v. Bondi*, No. 25-17195 (CCC). The Respondents further acknowledged that this Court has "summarily adjudicated" habeas matters, and conceded that—without authority—if § 1225 does not apply, that a bond hearing and not immediate release is the appropriate remedy.

Notwithstanding the propriety of the Respondents' incorporation by reference, in a judgment dated December 18, 2025, the United States District Court, Central District of California, declared that the Department of Homeland Security's July 8, 2025 policy regarding applicants for admission to the United States is "not in accordance with law" and that class members as defined therein are detained under 8 USC § 1226(a). The Court did not vacate *Yajure Hurtado* because that decision was not specifically named in the amended complaint therein, but the district court went on to clarify that "*Yajure Hurtado* is no longer controlling; the legal conclusion underlying the decision is no longer tenable." As such, it is clear that regardless of vacatur, the declaratory judgment confirms that class members are detained under 236(a), and IJs should adhere to the declaratory judgment, not the agency's prior interpretation in *Yajure Hurtado*.

Accordingly, because the Petitioner is a class member, the appropriate remedy is the sole outstanding question herein. The Petitioner asks herein that this Court order immediate release because the Petitioner's detention without a bond hearing is, and was from its inception, unlawful.

Respectfully submitted,

/s/ Steven Ashur

Steven Ashur, Esq.

cc: Respondents' Counsel (ECF)