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10 Attorneys for Petitioner

11 UNITED STATES DISTRICT COURT
12 SOUTHERN DISTRICT OF CALIFORNIA

13 AYALA-PINTO,

14 Petitioner-Plaintiff,

15 v.

16 LAROSE, et al.,

17 Respondents-Defendants.

Case No.: 3:25-cv-02971-RSH-BLM

**PETITIONER’S EX PARTE
EMERGENCY REQUEST FOR
CLARIFICATION OF ORDER
GRANTING PETITION FOR WRIT
OF HABEAS CORPUS [Dkt. No. 5]**

18 THE UNDERSIGNED counsel for Petitioner moves the Court for an order
19 CLARIFYING a prior order of the Court.

20 The Court entered an order on November 19, 2025 granting the petition and
21 ordering as follows:

22 *“Respondents are directed to arrange a bond hearing for Petitioner Sayda*

23 *Mariela Ayala-Pinto before an immigration court pursuant to 8 U.S.C. § 1226(a)*

1 *within seven (7) days of this order as described above. The Court declines to*
2 *order Petitioner's immediate release."*

3 Dkt. No. 5 at 7.

4 Petitioner respects the Court's order but sense time is of the essence and
5 Respondents are actively in the process of scheduling a new bond hearing, undersigned
6 Counsel wishes to exercise due diligence and therefore feels the need to request
7 clarification regarding the following:
8

9 In her Petition, Petitioner makes the following prayer for relief:

10 *"a. Issue a Writ of Habeas Corpus requiring Respondents to release*
11 *Petitioner, or in the alternative, that the Respondents allow Petitioner to*
12 *pay the existing \$7,500 bond and then release Petitioner (as an IJ has already*
13 *held a bond hearing pursuant to 8 U.S.C. § 1226(a) and granted Petitioner*
14 *bond);*

15 *b. Award Petitioner attorney's fees and costs under the Equal Access to*
16 *Justice Act ("EAJA"), as amended, 28 U.S.C. § 2412, and on any other*
17 *basis justified under law; and*

18 *c. Grant any other and further relief that this Court deems just and*
19 *proper."*

20 Dkt. No. 1 at 21-22.

1 Although this Court has the discretion to “Grant any other and further relief that
2 this Court deems just,” Petitioner notes to the Court that, as alleged in the Petition, on
3 July 15, 2025 an Immigration judge had accepted jurisdiction and had already
4 conducting a bond hearing in this matter and ordered Petitioner’s release on a bond in
5 the amount of \$7,500.00. Id.

7 As conducting a new bond hearing may result in inconsistent judicial
8 decision, further tax the immigration court’s already busy docket, as well as result
9 in additional expenses to Petitioner in attorneys’ fees, Petitioner would like
10 clarification that the Court denies Petitioner’s prayer “*that the Respondents allow*
11 *Petitioner to pay the existing \$7,500 bond and then release Petitioner (as an IJ has*
12 *already held a bond hearing pursuant to 8 U.S.C. § 1226(a) and granted Petitioner*
13 *bond.*”

15 Undersigned counsel sent an email to opposing counsel on November 19, 2025,
16 requesting the government’s position regarding this request. Opposing counsel
17 responded by email that “Respondents are proceeding forward with complying with the
18 Court’s order to hold a bond hearing.”

20 Dated: November 20, 2025, Respectfully submitted,

21 By: /s/ Bashir Ghazialam
22 Bashir Ghazialam
23 Attorney for Petitioner
24 Email: bg@lobg.net

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on November 20, 2025, I caused the foregoing document to
3 be electronically filed with the Clerk of the Court for the United States District Court
4 for the Southern District of California by using the appellate CM/ECF system.

5 Participants in the case are registered CM/ECF users and service will be accomplished
6 by the appellate CM/ECF system.
7

8 /s/ Bashir Ghazialam
9 Bashir Ghazialam