IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA
ROME DIVISION

M.C.H.L. PETITIONER, *v.* DAVE OBERSON, ET. AL., RESPONDENTS.	Civil Action No. 4:25-cv-00329-WMR

FEDERAL RESPONDENTS' RESPONSE TO PETITIONER'S NOTICE OF SUPPLEMENTAL AUTHORITIES

Petitioner's counsel filed a Notice that claimed a California district court entered an order in a class action case, *Maldonado Bautista v. Ernesto Santacruz Jr.*, No. Case 5:25-cv-01873-SSS-BFM (C.D. CA. Nov. 25, 2025) (attached by Petitioner as Docket No. 15-1), that purports to order that detainees who, like Petitioner, "were apprehended in the interior" of the United States may be granted "outright release." Docket No. 15. The Federal Respondents oppose Petitioner's request for this Court to "grant outright release." *Id.*

First, Petitioner's request is premature because the California court merely certified a class and did not order anyone released. Docket No. 15-1 at 15 ("Petitioners' Motion for Class Certification is GRANTED as to the Bond Eligible Class and DENIED as to the Adelanto Class." (emphasis in original)).

Second, even if Petitioner has correctly characterized the order and its effect, the issuing court should enforce its own order; the current Court should not attempt to enforce a non-final order that it did not issue.

1. The order does less than Petitioner implies.

The California district court's order itself is titled "Order Granting Plaintiff Petitioners' Motion for Class Certification." Docket No. 15-1. And the docket indicates that the order was issued in response to a motion for class certification. As such, the order is best read as not granting any substantive relief but, instead, merely as recognizing a class for the potential granting of relief in some future order.

This reading is consistent with the order's "conclusion" which simply grants class certification, while providing no other relief. Docket No. 15-1 at 15 ("Petitioners' Motion for Class Certification is GRANTED as to the Bond Eligible Class and DENIED as to the Adelanto Class." (emphasis in original)). To be fair, on the previous page the court stated that it "extends the same declaratory relief granted to Petitioners to the Bond Eligible Class as a whole," but this statement was made as part of a discussion of whether Rule 23(b)(2) authorized the class. It is far from obvious that the court was granting class-wide relief (as opposed to merely explaining why class-wide relief was feasible). Procedurally, the class may now that the requested relief from the court. But, until that happens and

such relief actually is granted, the order merely certifies a class and does not order or require anyone's release, including M.C.H.L.'s here.

Even if the order granted relief, the nature of that relief is not specified and is likely to be far less than the "outright release" that Petitioner here now requests. A review of the docket shows that the California district court previously granted a TRO that required the respondents to "provide an individualized bond hearing before an immigration judge pursuant to 8 U.S.C. § 1226(a) within 7 days." (Doc. 14, No. 5:25-cv-01873.) Even if the California court now extends *that* relief to the entire class, that does not require or provide for the "outright release" of any class member.

2. The order does not authorize this Court to issue relief.

Even if the order does what Petitioner claims and grants class-wide relief to people like her, the responsibility of enforcing that order belongs to the issuing court. Petitioner does not claim that the California order has been domesticated here or offer any reason why this Court should enforce the order of a different court in a different state.

Assuming the California district court has proper jurisdiction and that the court's order is not stayed or modified, then that court can order the respondents in that case to comply with its order. If the respondents in that case do not like the order, they can appeal. But it is not the job of every district court in the

country to enforce an interlocutory order issued by a single district court in a different state. If the California order were finalized into a judgment, then perhaps Petitioner could claim some sort of *res judicata* or issue-preclusive effect—though even that would require a motion for summary judgment first. But Petitioner does not attempt to make such an argument; nor could he. *See Federated Dep't Stores, Inc. v. Moitie*, 452 U.S. 394, 398 (1981) (stating that *res judicata* applies to a "final judgment on the merits of an action").

Accordingly, the Federal Respondents respectfully submit that this Court should not take the hasty action requested by Petitioner, simply because a district court in California certified a class that might include Petitioner.

Respectfully submitted,

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Certificate of Compliance

I hereby certify, pursuant to Local Rules 5.1 and 7.1D, that the foregoing brief has been prepared using Book Antiqua, 13 point font.

/s/DARCY F. COTY
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Certificate of Service

The United States Attorney's Office served this document today by filing it using the Court's CM/ECF system, which automatically counsel of record.

Karen Weinstock

November 24, 2025

/s/ DARCY F. COTY
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