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

MIGUEL ANGEL GARCIA-MORALES, )

Petitioner, )

v. )

Kristi NOEM; et al., )

Respondents. )

**Case No.:**  
25-cv-03254-CAB-BLM  
**SUPPLEMENTAL  
BRIEF**

Pursuant to the Court’s December 10, 2025 order, ECF No. 6, Petitioner submits this supplemental brief.

The Court in *Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM (C.D. Cal. Nov. 25, 2025), granted class certification and a partial summary judgment for the petitioners on that class and certified a class as “Bond Eligible Class.” See *Bautista* ECF No. 81 at 17 (granting motion for partial summary judgment but denying petitioners’ request for final judgment); see also ECF No. 82 at 15 (granting motion for class certification and ordering a status conference to determine “how the parties will proceed”).

At the present time, the *Bautista* Court has not issued a class-wide

1 declaratory judgment. However, the Court set a January 9, 2026, joint status  
2 report deadline and a January 16, 2026, status conference indicating that the  
3 Court intends to address the question of the final relief at a later date. *Id.*, ECF  
4 No. 81 at 17.

5 Importantly, the *Bautista* Court certified the Bond Eligible Class, finding  
6 that Petitioners' claims under the INA and Due Process were suitable for class-  
7 wide adjudication. Despite the *Bautista* Court's certification of the Bond Eligible  
8 Class and its grant of partial summary judgment, DHS and immigration courts  
9 in San Diego continue to deny bond based on jurisdictional arguments that have  
10 been rejected. As reflected in a recent custody redetermination order, DHS  
11 assert that *Bautista* is non-binding due to the absence of a final judgment. *See*  
12 Exhibit of Immigration Judge Order.

13 This position misrepresents the legal effect of the class certification and  
14 summary judgment, which are operative ruling with immediate consequence for  
15 class members. DHS's unlawful detention practices continue to be in violation of  
16 the INA and Due Process.

17 The *Bautista* Court ruled on the class certification of the Bond Eligible  
18 Class and partial summary judgment on INA and Due Process claims, providing  
19 persuasive authority directly supporting Petitioner's request. Despite *Bautista's*  
20 ruling, DHS's continues to demonstrate noncompliance with judicial authority.

21 Respectfully submitted this 18th day of December, 2025.

22  
23 /s/ Murray D. Hilts  
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