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8 IN THE UNITED STATES DISTRICT COURT  
9 EASTERN DISTRICT OF CALIFORNIA  
10

11 AUGUSTO RAMOS MENDOZA,  
12  
13 Petitioner,  
v.  
14 MINGA WOFFORD, ET AL,<sup>1</sup>  
15 Respondents.

CASE NO. 1:25-CV-01650-DC-SCR

RESPONDENT'S OPPOSITION TO  
TEMPORARY RESTRAINING ORDER  
DEMAND AND MOTION TO DISMISS,  
UNDER 28 U.S.C. § 2254, RULE 4, DEMAND  
FOR RELIEF UNDER 28 U.S.C. § 2241

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17  
18 This Court should deny Petitioner's motion for a temporary restraining order (TRO) and the  
19 underlying petition under 28 USC § 2241. ECF 1, 2. Petitioner fails his burden to justify TRO relief  
20 and, otherwise, he fails to meet his § 2241 burden for immediate release.  
21  
22

23 <sup>1</sup> As a screening matter under Fed. Rule and for the sake of jurisdiction, Respondents move to  
24 strike and to dismiss all improperly named officials. Habeas Rule 4 requires this Court to make a  
25 preliminary review of each petition for writ of habeas corpus. Accordingly, this Court must summarily  
26 dismiss a petition "[i]f it plainly appears from the petition and any attached exhibits that the petitioner is  
27 not entitled to relief in the district court" as against a charged party. Specifically, it is well established  
28 that a petitioner seeking habeas corpus relief may only name the officer having custody of him as the  
respondent to the petition. 28 U.S.C. § 2242; *Doe v. Garland*, 109 F.4th 1188, 1197 (9th Cir. 2024)  
(holding, among other things, that the warden of the private detention facility at which a non-citizen  
alien was held was the proper § 2241 respondent). In the instant case, Petitioner's custodian is Minga  
Wofford, Facility Administrator of Mesa Verde ICE Processing Center. Under § 2241, this Court has no  
jurisdiction over named non-custodians. *Id.*

BACKGROUND

Petitioner, as he concedes, is a native and citizen of Guatemala who unlawfully<sup>2</sup> entered the United States without being inspected, admitted, or paroled on an unknown date. ECF 1, 2.

On 10/24/2012, through Immigration Court proceedings, Petitioner was ordered removed from the United States by an Immigration Judge. *See id.* *See also* Declaration of C. Jerome (Decl.) at 2. Thereafter, also through Immigration Court proceedings, Petitioner was denied asylum in the United States, but he was granted CAT withholding of removal to Guatemala. *Id.*

After having been ordered removed from the United States in 2012, Petitioner, on 11/24/2025, was detained by DHS (ERO officers from the Sacramento Fugitive Operations team) at the Sacramento International Airport. Petitioner's order of supervision (OSUP) was revoked for cause based on changed circumstances, to wit: imminent removal to a third country. Decl. at 2; *See also* Decl. Exh. 3. In the EDCA, since Petitioner has suffered a final order of removal (albeit with withholding of removal to Guatemala), his mandatory detention is required by 8 U.S.C. § 1231(a)(6) pending his removal to a third country. *See also* 8 C.F.R. § 241.4; 8 C.F.R. § 241.13.

ARGUMENT

The standard governing the issuing of a TRO is "substantially identical" to the standard for issuing a preliminary injunction order. *Stuhlberg Int'l Sales Co. v. John D. Brush & Co.*, 240 F.3d 832, 839 n.7 (9th Cir. 2001). Preliminary injunctions are extraordinary remedies "never awarded as of right." *Winter v. Nat. Res. Def. Council, Inc.*, 555 U.S. 7, 24 (2008) (citation omitted). A plaintiff, such as Petitioner, demanding "a preliminary injunction face[s] a difficult task in proving that [he is] entitled to this extraordinary remedy." *Earth Island Inst. v. Carlton*, 626 F.3d 462, 469 (9th Cir. 2010) (internal quotation omitted). Petitioner's burden is aptly described as "heavy." *Id.* A preliminary injunction requires "substantial proof" and a "clear showing." *Mazurek v. Armstrong*, 520 U.S. 968, 972 (1997).

As a matter of law, Petitioner -- as a plaintiff seeking a TRO -- must show that: (1) he is likely to succeed on the merits, (2) he is likely to suffer irreparable harm in the absence of preliminary relief, (3)

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<sup>2</sup> Additionally, on 10/6/2009, in the state of Ohio, Petitioner unlawfully operated a vehicle. Thereafter, he was convicted of driving without a valid license in violation of Ohio Revised Code 4510.12.

1 the balance of equities tips in his favor, and (4) an injunction (TRO) is in the public interest. *Garcia v.*  
2 *Google, Inc.*, 786 F.3d 733, 740 (9th Cir. 2015). Alternatively, a petitioner can show “serious questions  
3 going to the merits and the balance of hardships tips sharply towards [plaintiff], as long as the second  
4 and third ... factors are satisfied.” *Disney Enters., Inc. v. VidAngel, Inc.*, 869 F.3d 848, 856 (9th Cir.  
5 2017).

6 Petitioner is unlikely to succeed on the merits. First, Petitioner is temporarily detained (for  
7 immediate removal to a third country (e.g., Mexico)), mandatorily as a matter of law, pursuant to 8  
8 U.S.C. § 1231(a)(3) and (6). Decl. at 2. *See also* 8 C.F.R. § 241.4; 8 C.F.R. § 241.13. Through  
9 completed Immigration Court removal proceedings, this is not a case where such civil detention is  
10 indefinite. In other words, Petitioner (in 2012) already has suffered a non-appealable final order of  
11 removal and, at the conclusion of his current processing of removal to a third country, Petitioner will be  
12 released. *See Riley v. Bondi*, 606 U.S. ---, 2025 WL 1758502 (2025) (jurisdictionally barring final  
13 removal order challenge after 30-days from issuance of the final order of removal). Second, Petitioner is  
14 not in custody without enjoying benefit of full prior contested removal proceedings. Petitioner  
15 championed his challenge to removal to his country of origin (Guatemala). Third, Petitioner -- having  
16 suffered an undisputed final order of removal -- was subsequently, under 8 C.F.R. § 241.4, released  
17 pending removal on an order of supervision (OSUP). *See* 8 U.S.C. § 1231(a)(3). However, 8 C.F.R. §  
18 241.13(i), further applies to non-citizens in Petitioner's situation. Due to a change in circumstances,  
19 including DHS securing travel documents, there is now likelihood Petitioner will be removed in the  
20 reasonably foreseeable, immediate, future pursuant to 8 C.F.R. § 241.13(i)(2). *Accord* 8 C.F.R. §  
21 241.13(f) (allowing re-detention for changed circumstances). Thus, he was properly re-detained.  
22 Indeed, § 1231(a)(6) broadly authorizes the executive branch of government, through its Attorney  
23 General and agencies, including DHS, the discretion to detain and re-detain certain categories of aliens.

24 An alien ordered removed [1] who is inadmissible ... [2] [or] removable [as a result of violations  
25 of status requirements or entry conditions, violations of criminal law, or reasons of security or  
26 foreign policy] or [3] who has been determined by the Attorney General to be a risk to the  
community or unlikely to comply with the order of removal, may be detained beyond the  
removal period and, if released, shall be subject to [certain] terms of supervision ....

27 *Zadvydas*, 533 U.S. at 682 (quoting 8 U.S.C. § 1231(a)(6)). By its plain language, the statute does not  
28 impose any limitation on the length of an alien's detention. *See id.*

1           Significantly, the Supreme Court in *Zadvydas* addressed § 1231(a)(6) constitutional concern  
2 with indefinite detention by clearly holding an alien could be detained “until it has been determined that  
3 there is no significant likelihood of removal in the reasonably foreseeable future.” *Id.* at 701. This  
4 limitation is linked to the statute’s “basic purpose,” which is to “assur[e] the alien’s presence at the  
5 moment of removal.” *Id.* at 699. The Supreme Court has not required OSUP revocation finding prior  
6 to revocation for changed circumstances. The law is contrary. See 8 U.S.C. § 1231(a)(3); 8 C.F.R. §  
7 241.13(i); 8 C.F.R. § 241.13(f) (allowing immediate re-detention for changed circumstances).

8           Petitioner here is not being indefinitely detained by DHS in violation of constitutional rights. In  
9 *Zadvydas*, 533 U.S. 678, the Supreme Court held that the Immigration and Nationality Act’s (INA)  
10 post-removal-period (*i.e.*, as in this case with an extant final order of removal) detention statute does  
11 not permit indefinite detention but “implicitly limits an alien’s detention to a period reasonably  
12 necessary to bring about that alien’s removal from the United States.” *Id.* at 689. When faced with such  
13 a reasonably necessary period determination, the Supreme Court set forth that district courts must  
14 consider “the basic purpose of the statute, namely assuring the alien’s presence at the moment of  
15 removal.” *Id.* at 699 (emphasis supplied). The Supreme Court has further instructed this district court  
16 to take appropriate account of the Executive Branch’s “greater immigration related expertise,” the  
17 Executive Branch’s “administrative needs and concerns,” and the “Nation’s need to speak with one  
18 voice on immigration.” *Id.* at 70. The Supreme Court encouraged a bright line of at least 6-months for  
19 a “presumptively reasonable period of detention” for removal on a non-appealable final order of  
20 removal (as in this case). *Id.* at 701. Under *Zadvydas*, as in the case of the underlying TRO demand, the  
21 burden is on the non-citizen alien (*i.e.*, petitioner) to show that there is no reasonable likelihood of  
22 removal. *Id.*

23           To date, Petitioner has been in detention pending removal for only 7-days. Accordingly, this is  
24 not a case where detention is unlawful, prolonged, or indefinite.<sup>3</sup> *Jennings v. Rodriguez*, 138 S. Ct. 830,

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26           <sup>3</sup> A federal court may only grant a petition for writ of habeas corpus if the petitioner can show  
27 that “he is in custody in violation of the Constitution ....” 28 U.S.C. § 2241(c)(3). A habeas corpus  
28 petition is the correct method for a prisoner to challenge the “legality or duration” of his confinement.  
*Badea v. Cox*, 931F.2d 573,574 (9th Cir.1991) (quoting *Preiser. Rodriguez*, 411 U.S. 475,485 (1973));  
Advisory Committee Notes to Rule 1 of the Rules Governing Section 2254 Cases.

1 846 (2018). In other words, Petitioner does not substantiate a claim for unlawful detention (since his  
2 detention is mandatory for changed circumstances) and there has been not unreasonable delay.  
3 Petitioner – who has violated federal law and state law in his past conduct -- has not shown irreparable  
4 harm through temporary civil detention, to date about 7-days, pending immediate and foreseeable  
5 removal. *Accord Barrientos v. U.S. Attorney General, et al.*, 2025 WL 3085582 (E.D. Cal. Nov 05,  
6 2025), *adopting* 2025 WL 2207500 (E.D. Cal. Aug. 4, 2025) (dismissing non-citizen alien’s § 2255  
7 petition because petitioner has not shown that “there is no significant likelihood of removal in the  
8 reasonably foreseeable future” especially where “Petitioner has been ordered removed to Mexico, and  
9 the United States and Mexico do not have constrained relations such that removals prove difficult or  
10 impossible”). Against this background, in the Immigration Court, Petitioner has administrative remedies  
11 available, including as to third country removal processing and humanitarian detention review.

12 By his present TRO and § 2241 petition, Petitioner is further not likely to succeed because he  
13 demands this Court supersede the extant Immigration Court final order of removal, which Petitioner  
14 acceded to in 2012 through adversarial proceedings resulting in withholding only of removal to his  
15 country of origin. His TRO demand (resistance to the lawful extant final order of removal of another  
16 court) is improper and unfounded. *Riley*, 2025 WL 1758502. In this case, Respondents merely seek to  
17 enforce the fully litigated and non-appealable final order based on undisputed immediate changed  
18 circumstances. *See generally* Decl. at 2. Moreover, Petitioner’s repetitious jumble of claims that his  
19 OSUP release conditions compelled pre-detention notice falls flat. The Supreme Court, APA, and Ninth  
20 Circuit have not required such notice, especially where, as here, swift action is compelled by changed  
21 circumstances.

22 Moreover, at the pace of the instant TRO briefing, Respondent submits that Petitioner’s pre-  
23 detention notice complaints are not substantiated by the Petitioner’s pleadings or exhibits. Petitioner  
24 does not provide challenge to the immediate third country removal authority lawfully permitted by the  
25 extant final order of removal. In other words, Petitioner has no dispute that his pending immediate  
26 removal to third country is not fully authorized by the extant final order of removal.

27 Petitioner’s claims of fear of other countries generally and his attempts to litigate third country  
28 removal in this Court is misplaced and non-sensical. While acknowledging Petitioner has a strong

1 liberty interest, his is a lesser liberty interest because he is a non-citizen subject to removal. *See Diouf v.*  
2 *Napolitano*, 634 F.3d 1081, 1086–87 (9th Cir. 2011) (agreeing with the government that § 1231(a)(6)  
3 detainees have a lesser liberty interest because they are closer to actual removal) (abrogated on other  
4 grounds); *see also Mathews*, 426 U.S. at 79–80 (“In the exercise of its broad power over naturalization  
5 and immigration, Congress regularly makes rules that would be unacceptable if applied to citizens.”).  
6 Petitioner’s undisputed violation of federal law (surreptitious entry) and violation of state law clearly  
7 raise concerns of flight risk and risk of harm to the public. There can be no doubt that the government  
8 has a strong interest in effectuating the immigration laws while minimizing risk of harm and violation of  
9 law to the community. *See Rodriguez Diaz v. Garland*, 53 F.4th 1189, 1208 (9th Cir. 2022).

10 Because Petitioner is unlikely to succeed on the merits of his petition, he likewise cannot  
11 establish irreparable harm. As discussed above, DHS has exercised its statutory and regulatory authority  
12 to detain him. Accordingly, Petitioner’s present civil detention satisfies due process under the existing  
13 regulations and caselaw. *Arguendo*, while the Ninth Circuit has recognized that “[a]n alleged  
14 constitutional infringement will often alone constitute irreparable harm,” *Goldie’s Bookstore, Inc. v.*  
15 *Superior Court*, 739 F.2d 466, 472 (9th Cir. 1984), this Court should not apply the presumption where,  
16 as here, a plaintiff fails to demonstrate “a sufficient likelihood of success on the merits of its  
17 constitutional claims to warrant the grant of a preliminary injunction.” *Assoc’d Gen. Contractors of*  
18 *Cal., Inc. v. Coal for Econ. Equity*, 950 F.2d 1401, 1412 (9th Cir.1991)).

19 CONCLUSION

20 Respondents respectfully request that the Court deny Petitioner’s TRO motion and petition under  
21 § 2241. Absent outright dismissal (which is fully warranted), Respondents urge the Court refer the  
22 matter for full briefing on the § 2241 petition.

23  
24 Dated: December 1, 2025

ERIC GRANT  
United States Attorney

25  
26 By: /s/ MICHELLE RODRIGUEZ  
27 MICHELLE RODRIGUEZ  
Assistant United States Attorney  
28

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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4 Ramos Mendoza,

5 Petitioner,

6 v.

7 Lyons, *et al.*,

8 Respondents.  
9

CASE NO. 1:25-cv-01650-DC-SCR

**DECLARATION OF  
DEPORTATION OFFICER  
CHRISTOPHER JEROME**

10 I, Christopher Jerome, make the following statements under oath and subject to the penalty of  
11 perjury:

12 1. I am a Deportation Officer (“DO”) with the U.S. Department of Homeland Security  
13 (“DHS”), U.S. Immigration and Customs Enforcement (“ICE”), Enforcement and Removal Operations  
14 (“ERO”), in the Bakersfield sub-office of the San Francisco Field Office. I have been employed with  
15 DHS since June, 2019. I currently serve as a DO and am assigned to the Detained Unit, overseeing  
16 aliens detained at the Mesa Verde ICE Processing Center, which is a detention facility located in  
17 Bakersfield, California, that is managed by the GEO Group, Inc.

18 2. My responsibilities include, but are not limited to, tracking the progression of detained  
19 cases through removal proceedings, tracking detained cases with final removal orders, obtaining travel  
20 documents for aliens ordered removed, and effectuating the removal of aliens to other countries.

21 3. I am familiar with ICE policies and procedures governing the detention and removal of  
22 aliens who lack lawful immigration status in the United States.

23 4. The facts in this declaration are based on my personal and professional knowledge,  
24 consultation with other DHS and ICE personnel, and reasonable review of official documents, systems,  
25 and records maintained by the agency and DHS, and other relevant sources during the regular course of  
26 my duties.

27 5. I have obtained and attached to my Declaration true and correct copies of the following  
28

DECLARATION OF DEPORTATION OFFICER CHRISTOPHER JEROME  
CASE NO. 1:25-cv-01650-DC-SCR

1 documents from the above-named Petitioner's case file and records maintained by DHS, which will be  
2 referenced as Exhibits ("Exh.") as follows:

3 Exh. 1: Form I-213, Record of Deportable/ Inadmissible Alien, dated November 24, 2025

4 Exh. 2: Notice of Revocation of Release, dated November 24, 2025

5 Exh. 3: Notice of Third Country Removal, dated November 26, 2025

6 6. Petitioner is a native and citizen of Guatemala who entered the United States without  
7 inspection, admission or parole. Exh. 1.

8 7. On or about October 24, 2012, an Immigration Judge ordered Petitioner removed from  
9 the United States, but granted withholding of removal only as to Guatemala. Exh. 1. On November 20,  
10 2012, Petitioner was placed on an Order of Supervision. Exh. 2.

11 8. On November 24, 2025, ICE apprehended Petitioner at Sacramento International  
12 Airport, who was scheduled to depart on a domestic flight. Exh. 1. He was taken into custody and  
13 transferred to Mesa Verde Detention Center. *Id.* ICE served Petitioner a Notice of Revocation of  
14 Release. Exh. 2.

15 9. On November 26, 2025, ICE received notice that Petitioner could likely be removed to  
16 Mexico. Exh. 1. That same day, ICE served a Notice of Third Country Removal to Mexico on the  
17 Petitioner. Exh. 1 and 3. Petitioner then claimed a fear of being removed to Mexico. Exh. 1. ICE referred  
18 Petitioner for an interview on his fear claim. *Id.* As of the date of this declaration, Petitioner's interview  
19 has been scheduled, with a decision to be issued in the near future.

20 10. Petitioner remains subject to mandatory detention under section 241(a)(6) of the  
21 Immigration and Nationality Act.

22 I declare, under penalty of perjury, under 28 U.S.C. § 1746, that the foregoing is true and  
23 correct to best of my knowledge, information, belief, and reasonable inquiry.

24 //

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28  
DECLARATION OF DEPORTATION OFFICER CHRISTOPHER JEROME  
CASE NO. 1:25-cv-01650-DC-SCR

1 Dated: December 1, 2025

2 CHRISTOPHER T Digitally signed by CHRISTOPHER  
3 JEROME T JEROME  
Date: 2025.12.01 14:06:17 -08'00'

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4 Christopher Jerome  
5 Deportation Officer  
6 Enforcement and Removal Operations  
7 U.S. Immigration and Customs Enforcement  
8 U.S. Department of Homeland Security

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DECLARATION OF DEPORTATION OFFICER CHRISTOPHER JEROME  
CASE NO. 1:25-cv-01650-DC-SCR

# Exhibit 1



U.S. Department of Homeland Security

Subject ID :



Record of Deportable/Inadmissible Alien

Family Name (CAPS) <b>RAMOS-MENDOZA, AGUSTO</b>		First	Middle	Sex <b>M</b>	Hair <b>BLK</b>	Eyes <b>BRO</b>	Cmplxn <b>LBR</b>
Country of Citizenship <b>GUATEMALA</b>	Passport Number and Country of Issue 			Height <b>67</b>	Weight <b>187</b>	Occupation <b>UNR</b>	
U.S. Address 				Scars and Marks			
Date, Place, Time, and Manner of Last Entry <b>Unknown Date Unknown Time, UNK, WI-Without Inspection</b>			Passenger Boarded at				
Number, Street, City, Province (State) and Country of Permanent Residence							
Date of Birth 	Age: <b>40</b>	Date of Action <b>11/24/2025</b>	Location Code <b>SAC/SFR</b>				
City, Province (State) and Country of Birth <b>GUATEMALA</b>		AR <input checked="" type="checkbox"/>	Form: (Type and No.) Lifted <input type="checkbox"/> Not Lifted <input type="checkbox"/>				
NIV Issuing Post and NIV Number		Social Security Account Name <b>Agusto RAMOS MENDOZA</b>					
Date Visa Issued		Social Security Number 					
Immigration Record <b>POSITIVE - See Narrative</b>				Criminal Record			
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)						Number and Nationality of Minor Children <b>None</b>	
Father's Name, Nationality, and Address, if Known <b>RAMOS, GILBERTO NATIONALITY: GUATEMALA</b>			Mother's Present and Maiden Names, Nationality, and Address, if Known <b>MENDOZA, CATARINA NATIONALITY: GUATEMALA</b>				
Monies Due/Property in U.S. Not in Immediate Possession <b>None Claimed</b>			Fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Systems Checks <b>See Narrative</b>		Charge Code Words(s) <b>See Narrative</b>	
Name and Address of (Last)(Current) U.S. Employer			Type of Employment <b>Unemployed or Retired</b>	Salary	Employed from/to <b>Hr</b>		
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.)							
FIN:		Left Index fingerprint			Right Index fingerprint		
<b>Family Information</b>							
Father: RAMOS, GILBERTO is a citizen of GUATEMALA, , his immigration status is No Status.							
Mother: MENDOZA, CATARINA is a citizen of GUATEMALA, , her immigration status is No Status.							
Spouse: Subject is not married.							
Child: Subject does not have children or dependents.							
... (CONTINUED ON I-831)							
Alien has been advised of communication privileges _____ (Date/Initials)				T. 05701 WINTER Deportation Officer _____ (Signature and Title of Immigration Officer)			
Distribution:				Received: (Subject and Documents) (Report of Interview)			
				Officer: T. 05701 WINTER			
				on: November 24, 2025 (time)			
				Disposition: Bag and Baggage			
				Examining Officer: LICHINE, K 3288			

Alien's Name RAMOS-MENDOZA, AGUSTO	File Number 	Date 11/24/2025
<b>OTHER ALIASES KNOWN BY:</b> ----- Ramos, Cristitan Pablo		
<b>IMMIGRATION RECORD</b> ----- History was expected but not provided		
<b>Subject Health Status</b> ----- The subject claims good health.		
<b>Current Criminal Charges</b> ----- 11/24/2025 - 8 USC 1182 - ALIEN INADMISSIBILITY UNDER SECTION 212		
<b>RECORDS CHECKED</b> ----- CIS checked on 11/24/2025 with Positive result. CLAIM checked on 11/24/2025 with Positive result. TECS checked on 11/24/2025 with Positive result.		
<b>ARRESTING AGENTS</b> ----- A. #7794 DRINKARD T. 05701 WINTER		
<b>Arrested At/Near</b> ----- 6900 Airport Blvd Sacramento CA 958371109 USA		
<b>Record of Deportable/Excludable Alien:</b> ----- <b>Method of Encounter/Location:</b> Agusto RAMOS-Mendoza,  came to the attention of ICE/ERO pursuant to a lead from the Pacific Enforcement Response Center (PERC). Information from the PERC indicated that RAMOS was scheduled to depart from Sacramento International Airport at 0530 on November 24, 2025, via Delta Airlines Flight DL1526 to Salt Lake City. RAMOS was ordered removed from the United States by an Immigration Judge on October 24, 2012. At approximately 0430 hours, officers from the Sacramento ERO Fugitive Operations team arrived at SMF and were escorted to the terminal by an officer from Customs and Border Protection (CBP). At approximately 0500, ERO officers witnessed a male matching the physical description of RAMOS. ERO officers contacted RAMOS and identified themselves as Immigration Officers with the Department of Homeland Security. After confirming the identity of RAMOS, ERO officers arrested him without incident and escorted him to the Sacramento ERO office for processing.		
<b>Alienage and Deportability/Inadmissibility:</b> RAMOS is not a citizen or national of the United States (US). RAMOS is a native of Guatemala and citizen of Guatemala who entered the US without inspection at unknown place on unknown date. On October 24, 2012, RAMOS was denied Asylum and granted Withholding of removal to Guatemala under Article III of the U.N. Convention Against Torture.		
Signature T. 05701 WINTER	Title Deportation Officer	

Alien's Name RAMOS-MENDOZA, AGUSTO	File Number 	Date 11/24/2025
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**Family History/Derivation:**  
 RAMOS' smother Catarina Mendoza Ahilo is a native and citizen of Guatemala.  
 RAMOS's father, Gilberto Ramos Matias is a native and citizen of Guatemala. Record checks reveal Gilberto Ramos Matias issued a Final Order of Removal on February 10, 2004.

**Immigration History:**  
 Record checks (CIS, CLAIMS, TECS, and NCIC) revealed no lawful entries for RAMOS.  
 RAMOS claims he initially entered the US without inspection.  
 On October 24, 2012, RAMOS was ordered Withholding of Removal to Guatemala.

**Criminal History:**  
 On October 6, 2009, Butler County Court in west Chester, Ohio, convicted RAMOS of Operating Motor Vehicle Without Valid License, in violation of Ohio Revised Code 4510.12 and issued him a fine. RAMOS has no other known criminal record.

**Health/Humanitarian Issues:**  
 RAMOS claims and appears to be in good mental and physical health. RAMOS does not claim to be a victim of domestic violence or human trafficking.

RAMOS does not claim to be a member of any gang and/or terrorist group, and there is no indication of gang and or terrorist affiliation.

RAMOS does not claim to have ever served in the U.S. Military or any foreign military.

RAMOS does claim fear of returning to Guatemala. RAMOS does not claim fear of returning to Mexico, third country designation.

A DNA sample was collected from RAMOS.

**Disposition:**  
 Agosto RAMOS-Mendoza will be processed as a third country designation removal to Mexico.

\*\*\*\*\*ADDENDUM by DO Jerome on 11/26/2025\*\*\*\*\*  
 On 11/26/2025, ERO Bakersfield received information that RAMOS Mendoza, Agosto could likely be removed to Mexico. On that same date, Deportation Officer (DO) Jerome interviewed RAMOS Mendoza in the Spanish language at the Mesa Verde ICE Processing Center in Bakersfield, CA. DO Jerome identified himself as a Deportation Officer with US Immigration and Customs Enforcement. DO Jerome verbally translated to Spanish and served RAMOS-Mendoza a Notice of Removal informing RAMOS Mendoza that U.S. Immigration and Customs Enforcement intended to remove him to Mexico. RAMOS Mendoza refused to sign the document and claimed fear of being removed to Mexico. RAMOS Mendoza will be referred to APSO for his fear claim.

**Other Identifying Numbers**

ALIEN-  
 State Criminal Number/State Bureau Number- (UNITED STATES)  
 State Criminal Number/State Bureau Number- (UNITED STATES)

Signature T. 05701 WINTER	Title Deportation Officer
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## Exhibit 2

*Office of Enforcement and Removal Operations*

U.S. Department of Homeland Security  
630 Sansome Street  
San Francisco, CA 94111



**U.S. Immigration  
and Customs  
Enforcement**

RAMOS-Mendoza, Augusto  
c/o Immigration and Customs Enforcement  
San Francisco Field Office



### **Notice of Revocation of Release**

This letter is to inform you that your order of supervision has been revoked and you will be detained in the custody of U.S. Immigration and Customs Enforcement (ICE) at this time. This decision has been made based on a review of your official alien file and a determination that there are changed circumstances in your case.

ICE has determined that you can be expeditiously removed from the United States pursuant to the outstanding order of removal against you. On October 24, 2012, you were ordered removed to Guatemala by an authorized U.S. DHS official and you are subject to an administratively final order of removal. On or about November 20, 2012, you were released on an Order of Supervision due to your grant of Withholding of Removal under Article III of the U.N. Convention Against Torture (CAT) Act. Your case is under current review by Mexico for the issuance of a travel document.


Based on the above, and pursuant to 8 C.F.R. § 241.4 / 8 C.F.R. § 241.13, you are to remain in ICE custody at this time. You will promptly be afforded an informal interview at which you will be given an opportunity to respond to the reasons for the revocation. You may submit any evidence or information you wish to be reviewed in support of your release. If you are not released after the informal interview, you will receive notification of a new review, which will occur within approximately three months of the date of this notice.

You are advised that you must demonstrate that you are making reasonable efforts to comply with the order of removal and that you are cooperating with ICE's efforts to remove you by taking whatever actions ICE requests to affect your removal. You are also advised that any willful failure or refusal on your part to make timely application in good faith for travel or other documents necessary for your departure, or any conspiracy or actions to prevent your removal or obstruct the issuance of a travel document, may subject you to criminal prosecution under 8 U.S.C. Section 1253(a).

  
\_\_\_\_\_  
Sergio Albarran  
Field Office Director

11/24/2025  
\_\_\_\_\_  
Date

**Notice of Revocation of Release**

RAMOS-Mendoza, Agosto, 

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**PROOF OF SERVICE**

**(1) Personal Service**

(a) I R. Liborio, Deportation Officer,  
Name of ICE Officer Title  
certify that I served Ramos - Mendoza, Agosto with a copy of  
Name of detainee  
this document at SAC ERO Sacramento sub office on 11/24/25 at 1330.  
Institution Date Time

Detainee Signature: (Refused to sign) Date: \_\_\_\_\_

- ( ) cc: Attorney of Record or Designated Representative
- ( ) cc: A-File

## Exhibit 3

**U.S. DEPARTMENT OF HOMELAND SECURITY  
U.S. Immigration and Customs Enforcement**

Alien Name: Ramos Mendoza, Augusto.

Alien Number (A #): [REDACTED]

Date: November 26, 2025

**NOTICE OF REMOVAL**

This letter is to inform you that U.S. Immigration and Customs Enforcement (ICE) intends to remove you to Mexico.

**CERTIFICATE OF SERVICE**

I certify that, on today's date, the contents of this notice were read to RAMOS MENDOZA, AGUSTO in the SPANISH language, and I served the alien a copy of this notice in person.

REFUSED TO SIGN  
Signature of Alien

11/26/2025  
Date of Service

[Signature] SDDO 8147  
Title and Signature of ICE Official

11/26/2025 @ 0930hrs  
Time of Service

\_\_\_\_\_  
Name or Number of Interpreter (if applicable)