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5  
6 **UNITED STATES DISTRICT COURT**  
**EASTERN DISTRICT OF CALIFORNIA**  
7 **FRESNO DIVISION**

8 SARTAJ SINGH,

9 Petitioner,

10 v.

11 ANDREWS, TONYA, Facility Administrator  
12 of Golden State Annex ; SERGIO  
13 ALBARRAN, Acting Field Office Director of  
the San Francisco Immigration and Customs  
14 Enforcement Office; TODD LYONS, Acting  
Director of United States Immigration and  
15 Customs Enforcement; KRISTI NOEM,  
Secretary of the United States Department of  
16 Homeland Security, PAMELA BONDI,  
Attorney General of the United States, acting in  
their official capacities,

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18 Respondents.  
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**CASE NO. 1:25-CV-01669-KES-EPG**

**REPLY TO RESPONDENTS'**  
**OPPOSITION TO**  
**PETITIONER'S MOTION FOR**  
**TEMPORARY RESTRAINING**  
**ORDER AND HABEAS**  
**RESPONSE**

Petitioner, Sartaj Singh, by and through his undersigned counsel, respectfully submits this response to the Respondents' Opposition to his Request for a Temporary Restraining Order and habeas corpus relief.

### **INTRODUCTION**

#### **I. Respondents arguments under 8 U.S.C. § 1225(b) are incorrect**

Respondents incorrectly assert that Mr. Singh is an "applicant for admission" subject to mandatory detention under § 1225(b). Mr. Singh has been residing in the United States for over three years following his parole and placement into removal proceedings. Respondents' position is inconsistent with DHS's own conduct and with repeated federal district court decisions. Respondents assert that they have the absolute right to mandatorily detain Mr. Singh without a pre-deprivation hearing under 8 U.S.C. § 1225(b)(1)(B)(ii), even though (1) Respondents released Mr. Singh. on his own recognizance under a grant of parole; (2) Respondents placed Mr. Singh. in removal proceedings and, (3) Respondent's removal proceedings are still pending.

#### **II. Mr. Singh was paroled by DHS I April of 2022 under INA § 212(d)(5)**

Mr. Singh was paroled out of custody on April 19, 2022, pursuant to INA § 212(d)(5). He was then placed into standard INA § 240 removal proceedings and charged under INA § 212(a)(6)(A)(i). A person who has been paroled into the United States and living here for years cannot be treated as an "arriving applicant" under § 1225(b). This argument by DHS is incorrect and unpersuasive because DHS treated Mr. Singh s as subject 8 U.S.C. § 1226(a), not § 1225(b), when it released him in 2022. Courts have repeatedly rejected such arguments made by government. See Exhibit A. As an individual who was released by the Department of Homeland Security ("DHS") on parole and has since resided in the United States, he is no longer "seeking admission" within the meaning of that provision. In fact, the

1 government's contrary position that 8 U.S.C. § 1225(b) categorically authorizes mandatory  
2 detention for all noncitizens who were not lawfully admitted but have been present in the country  
3 for years after being released has been overwhelmingly rejected by district courts nationwide.  
4 See Salcedo Aceros v Kaiser, 2025 WL 2637503, at 8 (N.D. Cal. Sept. 12, 2025) (collecting  
5 cases).  
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### 7 **III. Respondents' theory would eliminate Mr. Singh's Fifth Amendment Rights**

8 In addition, Respondents' arguments imply that Mr. Singh. has no rights under the U.S.  
9 Constitution. Their position defies the Fifth Amendment of the U.S. Constitution and well-  
10 established precedent from the U.S. Supreme Court, Circuit Courts of Appeal, and district courts.  
11 Other judges in this district recently rejected similar arguments" to those set forth by  
12 Respondents. See ECF 12 at 10 \*3, citing to Ramirez Clavijo v. Kaiser, No. 25-CV-06248-BLF,  
13 2025 WL 2419263 (N.D. Cal. Aug. 21, 2025); Garcia v. Kaiser, No. 4:25-cv-06916-YGR (N.D.  
14 Cal. Aug. 29, 2025); Hernandez Nieves v. Kaiser, Jimenez No. 25-CV-06921-LB, 2025 WL  
15 2533110 (N.D. Cal. Sept. 3, 2025); Caicedo Hinstroza et al. v. Kaiser, No.25-CV-07559- JD,  
16 2025 WL 2606983 (N.D. Cal. Sept. 9, 2025). Arzate v. Andrews, Slip Copy, 2025 WL 2230521  
17 (E.D. Cal. Aug. 4, 2025) (The court found Mr. Arzate was likely to succeed on his claim that his  
18 re-detention without a new bond hearing violated the Due Process Clause; the court enjoined the  
19 government from re-detaining him without first providing a bond hearing where it must prove by  
20 clear and convincing evidence that he is a flight risk or a danger to the community); Pinchi v.  
21 Noem, Slip Copy, 2025 WL 1853763 (N.D. Cal. July 4, 2025).  
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### 25 **IV. DHS may not evade due process by retroactive reclassification**

26 Mr. Singh lived in the community for over three years, checked in with ICE, maintained a stable  
27 address, learned English, worked, and appeared at every hearing. He also has a U.S. citizen  
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1 daughter. He has established a community here and has his whole family that depends on him  
2 and lives with him. He cannot retroactively be labeled as an “arriving alien” solely to avoid due  
3 process.  
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5 **V. Mr. Singh Satisfies all requirements for a TRO and the Court should grant the**  
6 **TRO and the Preliminary Injunction**

7 The standard for issuing a temporary restraining order is identical to the standard  
8 for issuing a preliminary injunction. See *Washington v. Trump*, 847 F.3d 1151, 1159 n.3 (9th Cir.  
9 2017) (“[T]he legal standards applicable to TROs and preliminary injunctions are substantially  
10 identical.” (internal quotation marks and citation omitted)). A plaintiff seeking preliminary  
11 injunctive relief must establish “[1] that he is likely to succeed on the merits, [2] that he is likely  
12 to suffer irreparable harm in the absence of preliminary relief, [3] that the balance of equities tips  
13 in his favor, and [4] that an injunction is in the public interest.” *Winter*, 555 U.S. at 20.  
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15 Mr. Singh. continues to satisfy the *Winters* factors: [1] he has demonstrated a  
16 likelihood of success on the merits of her claim that his ongoing detention violates her  
17 procedural due process rights under the Fifth Amendment; [2] he has established irreparable  
18 harm due to his ongoing detention; [3] the balance of equities tip in his favor; and, [4] the  
19 injunction is in the public interest. See *Winter*, 555 U.S. at 20.  
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21 **a. Mr. Singh is likely to succeed on the merits**

22 **i. Mr. Singh was released on parole by DHS**

23 The government’s position is unsupported by the facts, because Mr. Singh was  
24 released on his own recognizance under parole granted by DHS. The government seeks to  
25 distinguish the present case from overwhelming case law that contradicts its position. See, e.g.,  
26 *Doe v. Becerra*, No. 2:25-CV-00647-DJC-DMC, 2025 WL 691664, at \*8 (E.D. Cal. Mar. 3,  
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2025); *Maklad v. Murray*, No. 1:25-CV-00946-JLT-SAB (E.D.Cal. Aug. 8, 2025); *Castellon v. Kaiser et. al.*, No. 1:25-CV-00968-JLT-EPG (E.D. Cal. Aug. 14, 2025). Respondent have not made even one factual assertion pertaining to Mr. Singh regarding his release even when it is undisputed from the facts and the Notice to Appear filed by DHS themselves that Mr. Singh was placed on parole and released. After his release, Mr. Singh has maintained and done everything that was asked of him by ICE. CFR § 212(a)(5)(a) grants authority to ICE officers to grant parole. 8 CFR § 212(a)(5)(b) explains that such parole could be granted to individuals identified under that section “on a case by-case basis for ‘urgent humanitarian reasons’ or ‘significant public benefit,’ provided the aliens present neither a security risk nor a risk of absconding.” 8 CFR § 212(a)(5)(b) (emphasis added). See *Ortega-Cervantes v. Gonzales*, 501 F.3d 1111, 1115 (9th Cir. 2007). The legal authority under which Mr. Singh was released establishes that an ICE officer decided that Mr. Singh was no flight risk nor a danger to society vesting him with a liberty interest under the U.S. Constitution

**ii. Mr. Singh is not an applicant for admission under 8 U.S.C. § 1225(b)**

Respondents assert that Mr. Singh is mandatorily detained during his removal proceedings under 8 U.S.C. § 1225(b)(1). See ECF 10 \* 1. 8 U.S.C. § 1225(b)(1) lays out the expedited removal process applied to applicants for admission. The plain meaning of the term “seeking admission” or being an applicant for admission does not refer to individuals who have been in the country for a period of time or who have been paroled. See *Valencia Zapata v. Kaiser*, No. 25-CV-07492-RFL, 2025 WL 2741654, at \*10 (N.D. Cal. Sept. 26, 2025). Mr. Singh has been living in the United States for over three years, when the Respondents released him on his recognizance, granted him a parole, and placed him in removal proceedings. Therefore, he cannot possibly be seeking admission at this moment.

1 Here, Mr. Singh initially came into immigration custody immediately after crossing the  
2 border into the United States on April 16, 2022. DHS released Mr. Singh. on his  
3 recognizance by paroling out of custody on April 19th, 2022, pursuant to  
4 section 212(d)(5). The condition placed on him to check in with ICE, which he did so. Mr.  
5 Singh fled India after facing persecution. In May of 2022, DHS gave him a Notice to Appear  
6 (NTA) for removal proceedings in immigration court. DHS did not require Mr. Singh. to post a  
7 bond. Id.

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10 The government claims that Mr. Singh is “subject to the mandatory detention framework  
11 of 8 U.S.C. § 1225(b)” but does not offer a reasoned explanation for such classification. Mr.  
12 Singh maintains that, because he was paroled and was placed into § 1229a removal proceedings,  
13 his detention is governed under the general provisions of 8 U.S.C. § 1226(a), because he is not  
14 subject to expedited removal proceedings. See *Martinez Hernandez v. Andrews*, No. 1:25-CV-  
15 01035 JLT HBK, 2025 WL 2495767, at \*6 (E.D. Cal. Aug. 28, 2025). Respondents’ arguments  
16 also rely on *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018) (“Read most naturally, §§  
17 1225(b)(1) and (b)(2) thus mandate detention of applicants for admission until certain  
18 proceedings have concluded.”). Respondents fail to acknowledge that *Jennings* was a statutory  
19 interpretation case, where the Supreme Court found that the statute (§1225(b)) did not grant bond  
20 hearings. It explicitly did not rule on the constitutional question and remanded it, stating, “we  
21 leave the Ninth Circuit’s constitutional holding to be resolved on remand” Id. at 284. *Jennings*  
22 therefore did not rule on the question of whether re-detention without a bond hearing violates  
23 due process, and it did not preclude as-applied challenges.  
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1                   **iii. Even if 8 U.S.C. § 1225(b)(1) proceedings applied here, this is a**  
2                   **constitutional question, not a statutory one.**

3           The Due Process Clause of the Fifth Amendment guarantees that the government may not  
4           deprive any person of liberty without due process of law. See U.S. Const. amend. V. “Freedom  
5           from imprisonment -- from government custody, detention, or other forms of physical constraint  
6           lies at the heart of the liberty that Clause protects.” *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).  
7           The guarantee applies in full force to “all persons” in the United States, including aliens, whether  
8           their presence here is lawful, unlawful, temporary, or permanent, and to “an alien subject to a  
9           final deportation order.” *Id.* at 693. The due process required by the Fifth Amendment typically  
10          entails a pre-deprivation hearing. See *Zinerman v. Burch*, 494 U.S. 113, 127 (1990) (“the  
11          Constitution requires some kind of hearing before the State deprives a person of liberty or  
12          property” (emphasis in original)). See *Hinestroza v. Kaiser*, No. 25-CV-07559-JD, 2025 WL  
13          2606983, at \*2 (N.D. Cal. Sept. 9, 2025). Therefore, regardless of the specific statute, the core  
14          issue is constitutional, not statutory. The Fifth Amendment protects the profound liberty interest  
15          of individuals who have been previously released from custody, placing a constitutional limit on  
16          the government's authority to re-detain them without due process. Individuals released from  
17          custody, even conditionally, retain a profound liberty interest protected by the Fifth Amendment,  
18          which limits the government's broad authority to detain. See *Morrissey v. Brewer*, 408 U.S. 471  
19          (1972).

20          Respondents assert that Mr. Singh. “lacks any constitutional due process rights.” For the  
21          reasons stated *supra*, the Respondents’ position misapprehends the law. ICE’s power to re-arrest  
22          a noncitizen who is at liberty following a release from custody is constrained by the demands of  
23          due process. See *Hernandez v. Sessions*, 872 F.3d 976, 981 (9thCir. 2017) (“the government’s  
24          25          26          27          28

1 discretion to incarcerate non-citizens is always constrained by the requirements of due process”).  
2 See also *Gagnon v. Scarpelli*, 411 U.S. 778, 782 (1973) (Due Process requires pre-deprivation  
3 hearing before revocation of probation); *Morrissey*, 408 U.S. at 482 (same, in the parole  
4 context).  
5

6 Mr. Singh was released from custody in 2022 and ties to his community provide him with  
7 a protected liberty interest. See *Ortega v. Bonnar*, 415 F. Supp. 3d 963 (N.D. Cal. Nov. 22, 2019)  
8 To comply with substantive due process, a sufficient purpose must justify the government’s  
9 deprivation of an individual’s liberty. Therefore, immigration detention, which is “civil, not  
10 criminal,” and “nonpunitive in purpose and effect,” must be justified by either (1) dangerousness  
11 or (2) flight risk. *Zadvydas*, 533 U.S. at 690; see *Hernandez*, 872 F.3d at 994 (“[T]he government  
12 has no legitimate interest in detaining individuals who have been determined not to be a danger  
13 to the community and whose appearance at future immigration proceedings can be reasonably  
14 ensured by a lesser bond or alternative conditions.”). When these rationales are absent,  
15 immigration detention serves no legitimate government purpose and becomes impermissibly  
16 punitive, violating a person’s substantive due process rights. See *Jackson v. Indiana*, 406 U.S.  
17 715, 738 (1972) (detention must have a “reasonable relation” to the government’s interests in  
18 preventing flight and danger); see also *Mahdawi v. Trump*, No. 2:25- CV-389, 2025 WL  
19 1243135, at \*11 (D. Vt. Apr. 30, 2025) (ordering release from custody after finding petitioner  
20 may “succeed on his Fifth Amendment claim if he demonstrates either that the  
21 government acted with a punitive purpose or that it lacks any legitimate reason to detain him”).  
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25 As explained *supra*, Respondents have not made such a showing here. Contrary to the  
26 Respondents’ position, several federal district courts in California have repeatedly recognized  
27 that the demands of due process and the limitations on DHS’s authority to revoke a noncitizen’s  
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1 release from custody, as set out in DHS's stated practice and Matter of Sugay, 17 I&N Dec. 637,  
2 639-40 (BIA 1981) both require a pre-deprivation hearing for a noncitizen on bond, like  
3 J.S.H.M., before ICE re-detains her. See, e.g., Meza v. Bonnar, 2018 WL 2554572 (N.D. Cal.  
4 June 4, 2018); Ortega, 415 F. Supp. 3d at 963; Vargas v. Jennings, No. 20-CV-5785-PJH, 2020  
5 WL 5074312, at \*3 (N.D. Cal. Aug. 23, 2020); Jorge M. F. v. Wilkinson, No. 21-CV-01434-JST,  
6 2021 WL 783561, at \*2 (N.D. Cal. Mar. 1, 2021); Romero v. Kaiser, No. 22-cv-02508-TSH,  
7 2022 WL 1443250, at \*3-4 (N.D. Cal. May 6, 2022) (Petitioner would suffer irreparable harm if  
8 re-detained, and required notice and a hearing before any re-detention); Enamorado v. Kaiser,  
9 No. 25-CV-04072-NW, 2025 WL 1382859, at \*3 (N.D. Cal. May 12, 2025) (temporary  
10 injunction warranted preventing re-arrest at plaintiff's ICE interview when he had been on bond  
11 for more than five years). See also Doe v. Becerra, at \*4 (holding the Constitution requires a  
12 hearing before any re-arrest); Arzate v. Andrews, Slip Copy, 2025 WL 2230521 (E.D. Cal.  
13 Aug. 4, 2025) (The court found Mr. Arzate was likely to succeed on his claim that his re-  
14 detention without a new bond hearing violated the Due Process Clause; the court enjoined the  
15 government from re-detaining him without first providing a bond hearing where it must prove by  
16 clear and convincing evidence that he is a flight risk or a danger to the community); Pinchi v.  
17 Noem, Slip Copy, 2025 WL 1853763 (N.D. Cal. July 4, 2025).

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19 Further, the Supreme Court has recognized that noncitizens may bring as-applied  
20 challenges to detention, including so-called "mandatory" detention. Demore v. Kim, 538 U.S.  
21 510, 532-33 (2003) (Kennedy, J., concurring) ("Were there to be an unreasonable delay by the  
22 INS in pursuing and completing deportation proceedings, it could become necessary then to  
23 inquire whether the detention is not to facilitate deportation, or to protect against risk of flight or  
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1 dangerousness, but to incarcerate for other reasons.”); *Nielsen v. Preap*, 586 U.S. 392, 420  
2 (2019) (“Our decision today on the meaning of [§ 1226(c)] does not foreclose as-applied  
3 challenges, that is, constitutional challenges to applications of the statute as we have now read  
4 it.”). Mr. Singh has been out of custody for over three years, during which time he has  
5 established himself as an exemplary resident and a valuable asset to his community. Therefore,  
6 the court should follow its own recent, persuasive precedents, and release . See *Singh v.*  
7 *Andrews*, No. 1:25- cv-00801-KES-SKO, 2025 WL 1918679, at \*7 (E.D. Cal. July 11, 2025)  
8 (analogizing to *Morrissey*) and *Arzate v. Andrews* at \*7 (enjoining and restraining Respondents  
9 from redetaining petitioner without first providing petitioner with a bond hearing before an  
10 immigration judge at which the government must prove by clear and convincing evidence that  
11 petitioner is a flight risk or danger to the community such that his re-detention is warranted.).  
12 The proper remedy for this due process violation is a return to the status quo ante. The  
13 inception of his current detention was unlawful, and a return to the status quo requires Mr.  
14 Singh’s freedom.  
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18 **b. Mr. Singh has established the requisite Irreparable Harm**

19 As stated in the initial filing for TRO, Mr. Singh is suffering in detention and his family  
20 outside is suffering without him. Mr. Singh has two children and a wife who rely on him. He is  
21 the provider for the house and this detention is extremely hard on him since he has been  
22 separated from his family. The detention has caused him severe emotional distress. Every  
23 additional day Mr. Singh *spends* in unlawful detention subjects him and others to further  
24 irreparable harm.  
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**c. Balance of interests/public interest**

When “the impact of an injunction reaches beyond the parties, carrying with it a potential for public consequences, the public interest will be relevant to whether the district court grants the preliminary injunction.” *Hernandez*, 872 F.3d at 996 (quoting *Stormans, Inc. v. Selecky*, 586 F.3d 1109, 1139 (9th Cir. 2009)). “[I]n addition to [evaluating] the potential hardships facing Plaintiff[ ] in the absence of the injunction, the court may consider ... the indirect hardship to their friends and family members.’ ” *Id.* (quoting *Golden Gate Rest. Ass'n v. City & Cty. of San Francisco*, 512 F.3d 1112, 1126 (9th Cir. 2008)). Finally, the Ninth Circuit has recognized that “neither equity nor the public's interest is furthered by allowing violations of federal law to continue.” *Galvez v. Jaddou*, 52 F.4th 821, 832 (9th Cir. 2022) (holding that the district court did not abuse its discretion in weighing the balance of hardships in favor of plaintiffs who credibly alleged that the government was violating the INA). The government argues that there is a significant interest in exercising its enforcement authority. However, as shown *supra*, the government's interest in detention “without a bond hearing” is outweighed by Mr. Singh's liberty interest. *Abdul-Samed v. Warden*, 2025 WL 2099343, at \*8 (E.D. Cal. July 25, 2025).

The hardships faced by Mr. Singh his community, and the public interest in granting injunctive relief weigh strongly in his favor. Detention separated Mr. Singh. from his community and from his family has harmed his mental health, his professional prospects. In addition to Mr. Singh's hardships, his community has experienced emotional burdens in the wake of his detention. Here, the balance of equities “tips sharply towards” Mr. Singh.

**d. The relief Mr. Singh seeks is lawful**

Respondent argues that Petitioner's request for relief goes beyond what is permissible by statute under 8 U.S.C. § 1252(g). 8 U.S.C. § 1252(g) provides that “no court shall have

jurisdiction to hear any cause or claim by or on behalf of any alien arising from the decision or action by the Attorney General to commence proceedings, adjudicate cases, or execute removal orders against any alien under this chapter.”

Here, the Petitioner does not request a stay of removal, nor does he challenge his removal order. Instead, the petitioner merely requests that he be released from custody and that, before any re-arrest, he be provided with a hearing before a neutral adjudicator to determine whether his reincarceration would be lawful. See also *YUHUA YANG v. POLLY KAISER*, et al., 2:25-CV-02205-DAD-AC (HC), 2025 WL 2791778, at \*3 (E.D. Cal. Aug. 20, 2025) (“because petitioner is not challenging his removal order, § 1252(g) does not bar the court from exercising subject matter jurisdiction in this matter). See also *Sied v. Nielsen*, No. 17-cv-06785-LB, 2018 WL 1142202, at \*21 (N.D. Cal. Mar. 2, 2018) (citing *United States v. Hovsepian*, 359 F.3d 1144, 1155 (9th Cir. 2004) (en banc)) (“Section 1252(g) does not divest courts of jurisdiction over cases that do not address prosecutorial discretion and address ‘a purely legal question, which does not challenge the Attorney General's discretionary authority’”).

Any reliance on *Phan v. Moises Becerra*, 2:25-cv-01757-DC-JDP (June 30, 2025) is misplaced because *Phan v. Moises Becerra* was regarding an individual who already had a final order of removal. The government also cites to *Y.G.H. v. Trump*, No. 1:25-CV-00435-KES-SKO, 2025 WL 1519250, at \*9 (E.D. Cal. May 27, 2025), which equally fails to support their argument. In *Y.G.H. v. Trump*, the court found a lack of jurisdiction under the district of confinement rule because the plaintiff was detained in Texas rather than in a detention facility located in the Eastern District of California. *Geo Group, Inc. v. Newsom*, 50 F.4th 745, 751 (9th Cir. 2022) (finding that the state cannot exert control over the federal government by banning

1 private facilities that the federal government (ICE) relies on to operate its detention centers  
2 within the state) is also unrelated to the present matter.

3 Under 28 U.S.C. § 2241, the Court has the authority to determine a petition for writ of  
4 habeas corpus in which the petitioner asserts he is being held in custody “in violation of the  
5 Constitution or laws or treaties of the United States.” “The essence of habeas corpus is an attack  
6 by a person in custody upon the legality of that custody, and that the traditional function of the  
7 writ is to secure release from illegal custody.” *Castellon v. Kaiser*, No. 1:25-CV-00968 JLT  
8 EPG, 2025 WL 2373425, at \*6 (E.D. Cal. Aug. 14, 2025) citing *Preiser v. Rodriguez*, 411 U.S.  
9 475, 484 (1973).  
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12 Therefore, this court has jurisdiction to grant relief to Mr. Singh. See *F.T.C. v. Dean*  
13 *Foods Co.*, 384 U.S. 597, 604 (1966) (noting the court’s “express authority under the All Writs  
14 Act to issue such temporary injunctions as may be necessary to protect its own jurisdiction”).

15 **F. Should the Court Order a Bond Hearing, the Burden is on the Government**  
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17 When there is a substantial liberty interest at stake, the government should have the  
18 burden of proof by clear and convincing evidence that an individual is a flight risk or danger  
19 before depriving the individual of that liberty. The Ninth Circuit has also held that an individual’s  
20 private interest in “freedom from prolonged detention” is “unquestionably substantial.” See *Diep*  
21 *v. Wofford*, No. 1:24-CV-01238-SKO (HC), 2025 WL 604744, at \*4 (E.D. Cal. Feb. 25, 2025),  
22 quoting *Singh v. Holder*, 638 F.3d 1196, 1208 (9th Cir. 2011). Mr. Singh has established a  
23 substantial liberty interest at stake. In addition, because there is a high risk of erroneous  
24 deprivation, and the government’s interest is low, “the Due Process Clause requires a pre-  
25 deprivation bond hearing where the government bears the burden of proving by clear and  
26 convincing evidence that the petitioner is a flight risk or danger to the community.”  
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1 See Singh v. Andrews, at \*9. Numerous district courts have reached a similar conclusion. Id,  
2 citing to Pinchi, 2025 WL 1853763, at \*3–4; Ortega, 415 F. Supp. 3d at 970; Doe, 2025 WL  
3 691664, at \*6; Diaz v. Kaiser, No. 3:25-cv-05071, 2025 WL 1676854, at \*2 (N.D. Cal. June 14,  
4 2025); Garcia, 2025 WL 1676855, at \*3; Romero v. Kaiser at \*4 (N.D. Cal. May 6, 2022);  
5 Vargas v. Jennings at \*4. Mr. Singh also requests that no security be required in connection with  
6 his release. See Zest Anchors, LLC v. Geryon Ventures, LLC, 2022 WL 16838806, at \*4 (S.D.  
7 Cal. Nov. 9, 2022) (“[T]he party affected by the injunction bears the obligation of presenting  
8 evidence that a bond is needed.”)  
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11 **VI. Request to Delay ruling based on Rodriguez v. Bostock should be rejected.**

12 There is no legal basis for delaying this Court’s ruling. TROs exist to prevent ongoing  
13 constitutional injury.  
14

15 **CONCLUSION**

16 For the foregoing reasons, Mr. Singh respectfully requests that the Court grants a  
17 Temporary Restraining Order, a Preliminary Injunction pending a final disposition of this matter  
18 and decide in favor of Mr. Singh on the merits of this case.  
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20 Date: December 11, 2025

Respectfully Submitted,

21  
22 *Simranjit Kaur*

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Simranjit Kaur  
24 Attorney for Respondent  
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