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

10
11 CRISTIAN AMAYA-QUINTEROS,
12 Petitioner,
13 v.
14 CORECIVIC, INC., ET AL.
15 Respondents.

CASE NO. 1:25-CV-01672-AC
RESPONDENTS' MOTION TO STAY
PROCEEDINGS

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18 **I. INTRODUCTION**

19 This matter is an ongoing habeas action related to Petitioner's detention in Immigration and
20 Customs Enforcement (ICE) custody. In November 2021, Petitioner crossed into the United States and
21 was detained briefly before being released in January 2022. Petitioner was re-detained in November
22 2025, giving rise to the instant habeas corpus action. The principal point of disagreement in this case
23 turns on the legal question of whether Petitioner is an applicant for admission subject to mandatory
24 detention under 8 U.S.C. § 1225(b), or whether he is not an applicant for admission, and merely an alien
25 present in the United States subject to discretionary detention under 8 U.S.C. § 1226(a). Respondents,
26 Core Civic Inc. et al., hereby respectfully move and request this Court stay all proceedings in the instant
27 case so that the Ninth Circuit Court of Appeals may rule on *Rodriguez Vazquez v. Bostock*, 779 F. Supp.
28 3d 1239 (W.D. Wash. 2025), which is currently before that court and raises the same question

1 concerning detention under 8 U.S.C. § 1225 or 8 U.S.C. § 1226. The stay will allow the Ninth Circuit to
2 provide binding precedent on the statutory question posed by this case and many others.

3 **II. PROCEDURAL HISTORY**

4 On November 24, 2025, Petitioner was detained following a scheduled credible fear interview.
5 See ECF 27 at 2. Five days later, Petitioner filed a petition for writ of habeas corpus and motion for
6 temporary restraining order (TRO). *Id.* at 3. Based on the ongoing nature of Petitioner’s immigration
7 case, the court denied the TRO as moot and directed Petitioner to file an amended petition and motion
8 for preliminary injunction (PI). *Id.* at 4. Petitioner filed his amended petition and motion, Respondents
9 filed an Answer/Response, and the court held a hearing on December 17, 2025. *Id.* at 4. On December
10 19, 2025, this Court granted Petitioner’s motion for PI, and ordered Petitioner released immediately
11 subject to the same conditions as had applied prior to his November 24, 2025 detention. *Id.* at 21–22.
12 Petitioner was released that same day, December 19, 2025, at 7:45 p.m., and Petitioner remains at liberty
13 subject to no more onerous conditions than were previously in place. ECF 29.

14 **III. ARGUMENT**

15 The root of the disagreement between Petitioner and Respondents is which provision of law
16 controls Petitioner’s detention proceedings. In ruling on the motion for PI, the Court noted that “the
17 parties’ dispute has and continues to be whether petitioner is subject to mandatory detention under §
18 1225(b) or subject to discretionary detention under § 1226(a).” ECF 27 at 11. In its ruling on the PI, the
19 Court sided with Petitioner and held that Petitioner was likely to succeed on his claim that he is subject
20 to 8 U.S.C. § 1226(a).¹ ECF 27 at 11–17. The court also premised its holding regarding Petitioner’s
21 due process arguments on its holding that Petitioner is subject to 8 U.S.C. § 1226(a). *Id.* at 17
22 (“Because, as discussed above, the court finds that petitioner is not subject to mandatory detention under
23

24 ¹ The court noted in support of its order that “petitioner was not inadmissible under either §§
25 1182(a)(6)(C) or (7)(A)” relying on the statements of Respondents’ counsel at the hearing and
26 representations by the deportation officer’s declaration filed in this case. ECF 27 at 13. Since that
27 hearing, DHS has completed and filed Petitioner’s Notice to Appear, charging him as an arriving alien
28 and inadmissible under 8 U.S.C. §§ 1182(a)(6)(A)(i) and (a)(7)(A)(i)(I). Second Supplemental
Declaration of Deportation Officer Patrick J. Cruz at ¶ 7. This Document was personally served on
Petitioner and in his possession on or about December 10, 2025. However, respondent’s counsel did not
receive the electronically processed document until after the court had issued its ruling. Thus, so
charged, Petitioner squarely falls into the class of individuals subject to the legal question at the heart of
the Ninth Circuit’s case in *Rodriguez Vazquez v. Bostock*.

1 § 1225(b), respondents’ arguments, which rely on this assumption, are rejected.”).

2 Therefore, the question of which statutory provision applies to Petitioner is likely dispositive of
3 both claims raised in this case. While this court and other district courts have ruled on this issue,
4 Respondents are aware of no circuit court or Supreme Court cases addressing this legal question and
5 determining whether those apprehended at the border, released, then re-detained are properly subject to
6 8 U.S.C. § 1225 or 8 U.S.C. § 1226. Therefore, Respondents request this Court stay proceedings to
7 allow the Ninth Circuit to issue a ruling on the *Rodriguez Vazquez* case presently before that court and
8 concerning the same legal question as presented here.

9 A district court has inherent discretionary authority to stay proceedings before it. *Landis v. N.*
10 *Am. Co.*, 299 U.S. 248, 254 (1936). “A district court may stay a case ‘pending resolution of independent
11 proceedings which bear upon the case,’ and [the court has] clarified ‘that the issues in such
12 [independent] proceedings’ do not need to be ‘necessarily controlling of the action before the [district]
13 court.’” *In re PG&E Corp. Sec. Litig.*, 100 F.4th 1076, 1086 (9th Cir. 2024) (quoting *Leyva v. Certified*
14 *Grocers of California, Ltd.*, 593 F.2d 857, 863–64 (9th Cir. 1979)). When considering whether to stay
15 proceedings under its inherent authority, courts must consider three factors: “(1) ‘the possible damage
16 which may result from the granting of a stay’; (2) ‘the hardship or inequity which a party may suffer in
17 being required to go forward’; and (3) ‘the orderly course of justice measured in terms of the simplifying
18 or complicating of issues, proof, and questions of law which could be expected to result from a stay.’”
19 *Aliphcom v. Fitbit, Inc.*, 154 F. Supp. 3d 933, 937 (N.D. Cal. 2015) (quoting *Lockyer v. Mirant Corp.*,
20 398 F.3d 1098, 1110 (9th Cir. 2005). The party seeking the state has the burden of proving the stay is
21 warranted. *Id.*

22 In this case, the three factors support staying this matter until the Ninth Circuit rules in
23 *Rodriguez Vazquez*, thereby clarifying the law as to 8 U.S.C. §§ 1225 and 1226 that will be dispositive
24 in this case.

25 **A. The Possibility of Damage Resulting from a Stay is Minimal.**

26 Staying proceedings in this posture of litigation represents a minimal possibility of damage to
27 Petitioner or anyone else. While Petitioner was in ICE custody when the proceedings began, claiming
28 irreparable harm on that basis (*see* ECF 17 at 6–9), this Court granted the PI and ordered Petitioner

1 released subject to the same conditions as existed prior to Petitioner's re-detention. ECF 27 at 21–22.
2 Petitioner is now returned to the status he occupied before his November 24, 2025 detention. *See* ECF
3 29. With the Court's PI in effect, Petitioner is not now at risk of any potential injury or damage
4 resulting from a stay of proceedings. Therefore, Petitioner cannot show any possibility of damage
5 resulting from a stay of proceedings.

6 Additionally, courts should ensure that stays also do not damage third parties or those not in the
7 proceedings at issue. *Landis*, 299 U.S. at 255 (“[T]he suppliant for a stay must make out a clear case of
8 hardship or inequity in being required to go forward, if there is even a fair possibility that the stay for
9 which he prays will work damage to some one else.”). Here, there are no third parties that could
10 potentially be harmed, as this case is a single-petitioner habeas case concerned with the detention or
11 release of a single individual. The Court's actions to stay or continue proceedings do not affect the
12 rights of any individual besides Petitioner. Therefore, the first *Lockyer* factor supports granting a stay.

13 **B. The Possible Hardship is Neutral Because there is no Additional Hardship to Either**
14 **Party Besides Continuing to Participate in a Lawsuit.**

15 Where, as here, the only hardship that either party will suffer is the continuation of the litigation,
16 courts have deemed the second *Lockyer* factor to be neutral. *See Aliphcom*, 154 F. Supp. 3d at 938. In
17 this case, Petitioner has been released from custody and returned to the position he occupied prior to his
18 detention by the court's PI. Thus, the only hardship arising for Petitioner is to continue to be party to the
19 action he has brought against Respondents. For their part, Respondents agree that they do not face a
20 hardship besides continued litigation should a stay not be granted. *See Lockyer*, 398 F.3d at 1112
21 (“[B]eing required to defend a suit, without more, does not constitute [prejudice].”).

22 Because there is no possibility of damage, and no additional hardship to either party in this
23 proceeding, the Court should base its determination regarding a stay upon the third element: whether
24 judicial efficiency is promoted by issuing a stay.

25 **C. A Stay Promotes the Orderly Course of Justice Because it will Allow for Binding**
26 **Precedent to Issue on a Dispositive Legal Question.**

27 The final *Lockyer* factor strongly favors a stay in this case. A district court is well within its
28 discretion to stay proceedings pending independent proceedings that bear on the case before it. *In re*

1 *PG&E Corp. Sec. Litig.*, 100 F.4th at 1086. Here, *Rodriguez Vazquez v. Bostock* is an independent
2 matter, but raises the same legal question as the court considered likely dispositive in this case. In the
3 opening brief of that case, appellants, many of whom are also respondents in this case, squarely raise the
4 issue of whether 8 U.S.C. § 1225(b) applies to all aliens present in the country without admission. *See*
5 Appellants Opening Brief at 31–48, *Rodriguez Vazquez v. Bostock et al.*, No. 25-6842 (9th Cir. Dec. 22,
6 2025), DktEntry No. 19.1.

7 Petitioner is such an alien as contemplated by *Bostock*, and the question of statutory
8 interpretation considered by this Court to be dispositive to this matter is now before the Ninth Circuit in
9 the *Bostock* case. Respondents expect this decision will occur quickly, as the case has been expedited
10 and is currently set for oral argument. A stay pending the results of that matter will greatly promote the
11 orderly course of justice, as it will save the parties and the court significant time and resources to litigate
12 an issue that would likely be remanded, whatever this Court’s decision on the merits, for reconsideration
13 based on the precedent to be set in *Bostock*. In fact, the appeal was lodged in *Bostock* to, in part,
14 “facilitate the Court’s resolution of this important question of the Government’s detention authority that
15 will determine the outcome of the plethora of cases pending in this Circuit.” *Id.* at 12.

16 IV. CONCLUSION

17 Based on the foregoing, and because the three *Lockyer* factors favor a stay pending resolution of
18 the dispositive legal question raised in this case and currently before the Ninth Circuit. Respondents
19 respectfully request the Court stay proceedings in this case pending the Ninth Circuit’s ruling in
20 *Rodriguez Vazquez v. Bostock*, 779 F. Supp. 3d 1239 (W.D. Wash. 2025).

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24 Dated: January 9, 2026

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25
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