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9 UNITED STATES DISTRICT COURT  
10 NORTHERN DISTRICT OF CALIFORNIA  
11 OAKLAND DIVISION

12 CARLOS ALBERTO DE LA GARZA

) Case No. 4:25-cv-10305-HSG

13 Petitioner,

) **RESPONDENTS' SUPPLEMENTAL RESPONSE**

14 v.

15 SERGIO ALBARRAN, *et al.*,

16 Respondents.

17  
18  
19 On December 9, 2025, the parties entered into a stipulation seeking to continue filing deadlines  
20 in the above-referenced matter. Dkt. 17. As grounds for the continuance, undersigned counsel  
21 represented that Respondents needed additional time to investigate certain factual issues raised by  
22 Petitioner. *Id.* In particular, Petitioner denied making certain admissions while in custody that he  
23 illegally reentered the United States on November 18, 2015. Dkt. 11. Because Respondent's position in  
24 this matter depends in part on when Petitioner last entered the country and in what manner, Respondents  
25 needed further time to investigate the circumstances under which the entry allegedly occurred. To allow  
26 for that further investigation, this Court granted the continuance, and instructed the parties to submit any  
27 additional briefing by December 16, 2025. Dkt. 18.

1 Respondents have now conducted their investigation. As a result, Respondents agree that  
2 Petitioner never stated that he illegally reentered the United States on November 18, 2015, as  
3 Respondents had initially reported. Dkt. 10, Declaration of D.O. Christopher Jerome ¶12 ;  
4 Supplemental Declaration of D.O. Christopher Jerome (“Suppl. Jerome Decl.”) ¶11. The investigation  
5 has also identified additional errors in Respondents’ original description of the facts. Suppl. Jerome  
6 Decl. ¶¶ 8-9.

7 Because Respondents’ brief in opposition to Petitioner’s motion relied in part on the errors  
8 reflected in the original Jerome Declaration, Respondents hereby withdraw that brief, including the  
9 declaration and the form I-213 attached to the brief, and submit the attached revised supplemental  
10 declaration. Respondents do not oppose the entry of a preliminary injunction to enjoin them from re-  
11 detaining Petitioner without notice and a pre-deprivation hearing before a neutral decisionmaker.  
12 Respondents further respectfully request that the Court vacate the hearing on Petitioner’s motion for a  
13 preliminary injunction, scheduled for December 18, 2025.

14  
15 DATED: December 16, 2025

Respectfully submitted,

CRAIG H. MISSAKIAN  
United States Attorney

/s/ S. Waqar Hasib  
S. WAQAR HASIB  
Assistant United States Attorney