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

9 MONTERO-ALVAREZ,

10 Petitioner,

11 v.

12 ALBERRAN, et al.,

13 Respondents.
14

CASE NO. 1:25-CV-01632-SKO

RETURN AND REQUEST TO SUSPEND
BRIEFING

15 On December 1, 2025, the Petitioner filed a petition for writ of habeas corpus seeking release
16 from custody of the Immigration and Customs Enforcement (ICE) based upon her claim that she was
17 entitled to a bond hearing and determination. The Petitioner also sought to enjoin the Respondents from
18 re-detaining the Petitioner without a hearing. ECF 1. On December 5, 2025, the Court granted a
19 Temporary Restraining Order (“TRO”) which ordered the Petitioner’s release from detention and
20 enjoined the Petitioner’s re-detention without first complying with certain procedures. ECF 7.

21 On December 6, 2025, in compliance with the TRO, ICE released the Petitioner on an order of
22 supervision. On December 12, 2025, the Respondents filed an opposition to the Petition and Motion for
23 TRO. ECF 12. On December 29, 2025, the Court issued a Preliminary Injunction on the same terms as
24 the TRO. ECF 14. Thereafter, the Court directed the Respondent to file an answer/return. ECF 15.

25 The Petitioner is no longer in ICE custody, was released pursuant to an order of supervision, and
26 is scheduled for a master hearing on or about October 3, 2026. ICE has abided by the Court’s TRO, and
27 ICE will continue to comply with the Court’s Preliminary Injunction issued on December 29, 2025.
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1 Because the Petitioner is no longer in ICE custody and Court has issued a Preliminary Injunction
2 awarding the Petitioner the relief sought, the Respondents respectfully request to suspend briefing in this
3 matter.

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5 Dated: January 27, 2026

ERIC GRANT
United States Attorney

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7 By: /s/ ROBERT ABENDROTH
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9 Attorneys for Respondents
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