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8 **UNITED STATES DISTRICT COURT**  
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10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 ROSA AGUILAR PEREZ,  
12  
13 Petitioner,  
14  
15 v.  
16 CHRISTOPHER LAROSE; et al.,  
17  
18 Respondents.

Case No.: 25-cv-3409-LL-DDL

**JOINT STATUS REPORT**

19 Pursuant to the Court’s December 22, 2025 order, ECF No. 9, the parties jointly  
20 provide this status report. The parties jointly provide notice that Petitioner was provided  
21 with a bond hearing pursuant to 8 U.S.C. § 1226(a). The parties presently disagree as to  
22 whether the habeas petition is resolved and provide their positions below.

23 **Petitioner’s Position**

24 Petitioner Rosa Aguilar-Perez submits this status update pursuant to the Court’s  
25 Order, following the Immigration Judge’s recent custody determination.

26 Petitioner has now been detained for over two months following her arrest at a routine ICE  
27 check-in, despite having lived openly in the community for more than a decade after being  
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1 released by DHS on her own recognizance under 8 U.S.C. § 1226(a). From 2014 until her  
2 re-detention in October 2025, Petitioner complied perfectly with ICE supervision, appeared  
3 at every required check-in, maintained stable employment and residence, supported her  
4 family, and incurred no additional criminal history.

5 After this Court granted limited TRO relief, an Immigration Judge conducted a bond  
6 hearing. The Immigration Judge denied bond, relying exclusively on Petitioner's 2014  
7 conviction as evidence of dangerousness. That conviction, however, is the same incident  
8 that first brought Petitioner to the attention of immigration authorities more than ten years  
9 ago and was fully known to DHS at the time it affirmatively released her on her own  
10 recognizance. The Immigration Judge did not identify any conduct, event, or circumstance  
11 occurring after that release that would justify revocation of Petitioner's longstanding  
12 recognizance or a departure from DHS's prior determination that she did not pose a danger  
13 or flight risk.

14 Petitioner respectfully submits that the bond denial rests on a legal error: the absence  
15 of changed circumstances supports continuation of release, not continued detention. The  
16 Immigration Judge's finding that Petitioner failed to demonstrate changed circumstances  
17 improperly inverted the governing standard, where DHS bore the burden of identifying  
18 new, individualized justification for detention following a decade of compliant release.  
19 Petitioner therefore maintains that her continued detention remains unlawful under the Due  
20 Process Clause and inconsistent with the statutory framework governing § 1226(a) custody.  
21 The habeas petition and TRO motion remain pending, and Petitioner continues to seek  
22 release or other appropriate relief consistent with the Court's prior order and constitutional  
23 requirements.

24 **Respondents' Position**

25 Respondents' position is that Court's order has been complied with, Petitioner's  
26 habeas petition is resolved and that there are no further requests for relief that the Court  
27 can resolve or grant in this matter. *See* 8 U.S.C. § 2241(c) (An individual may seek habeas  
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1 relief under 28 U.S.C. § 2241 if he is “in custody” under federal authority “in violation of  
2 the Constitution or laws or treaties of the United States.”); 8 U.S.C. § 1252; *Pinson v.*  
3 *Carvajal*, 69 F.4th 1059, 1072 (9th Cir. 2023) (“[O]ur review of the history and purpose of  
4 habeas leads us to conclude the relevant question is whether, based on the allegations in  
5 the petition, release is *legally required* irrespective of the relief requested.”); *Crawford v.*  
6 *Bell*, 599 F.2d 890, 891 (9th Cir. 1979); *Dep’t of Homeland Security v. Thraissigiam*, 591  
7 U.S. 103, 117 (2020) (The writ of habeas corpus historically “provide[s] a means of  
8 contesting the lawfulness of restraint and securing release.”). Petitioner was provided with  
9 an individualized bond hearing pursuant to § 1226(a), although it did not result in the  
10 outcome Petitioner was hoping for. Should Petitioner wish to seek review of the IJ’s bond  
11 determination, she should file an appeal with the Board of Immigration Appeals.

12 DATED: January 5, 2026

13 s/ Natalie Shepherd  
14 NATALIE SHEPHERD  
Attorney for Petitioner

15 DATED: January 5, 2026

16 ADAM GORDON  
United States Attorney

17 s/Laura C. Sambataro  
18 LAURA C. SAMBATARO  
Assistant U.S. Attorney  
19 Attorneys for Respondents

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**SIGNATURE CERTIFICATION**

Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies and Procedures of the United States District Court for the Southern District of California, I hereby certify that the content of this document is acceptable to Natalie Shepherd, counsel for Petitioner, and that I have obtained Ms. Shepherd' authorization to affix her electronic signature to this document.

DATED: January 5, 2026

s/Laura C. Sambataro  
LAURA C. SAMBATARO  
Assistant United States Attorney

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