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

10 KOMALPREET KAUR,
11
Petitioner,
12
v.
13 UNITED STATES DEPARTMENT OF
14 HOMELAND SECURITY,
15
Respondent.
16

CASE NO. 1:25-CV-01726-TLN-SCR

GOVERNMENT'S MOTION FOR COURT TO
RECONSIDER AND VACATE MINUTE ORDER
DATED DECEMBER 4, 2025, DIRECTING IT TO
FILE MEDICAL STATUS REPORT FOR
PETITIONER

17 On December 3, 2025, the Petitioner filed a pro se petition for habeas corpus that, at least in part,
18 challenges her conditions of confinement at the ICE detention facility where she is being detained
19 pending her immigration proceedings. *See, generally*, Dkt. 1. Importantly, a habeas petition is not the
20 proper mechanism for challenging conditions of confinement. *Pinson v. Carvajal*, 69 F.4th 1059, 1065,
21 1073-75 (9th Cir. 2023); *Badea v. Cox*, 931 F.2d 573, 574 (9th Cir. 1991). These types of challenges
22 must instead be brought in a civil rights action. *Pinson*, 69 F.4th at 1075-76; *Badea*, 931 F.2d at 574;
23 *Brown v. Blanckensee*, 857 F. App'x 289, 290 (9th Cir. 2021); *Alcala v. Rios*, 434 F. App'x 668, 669-70
24 (9th Cir. 2011). Indeed, a civil class action regarding the conditions of confinement at the ICE facility
25 where the Petitioner is being detained, which the Petitioner may be able to join, is pending in the
26 Northern District of California. *See, generally*, *Ruiz, et al. v. United States Immigration and Customs*
27 *Enforcement et al.*, No. 25-cv-9757 (N.D. Cal. Filed Nov. 12, 2025).
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1 For these reasons, the Petitioner cannot succeed on the merits of her claim at least to the extent
2 that it concerns her conditions of confinement. Therefore, the government respectfully objects to the
3 minute order that the Court issued on December 4, 2025, directing it to file a medical status report for
4 the Petitioner. *See, generally*, Dkt. 3. The government requests that the Court reconsider and vacate
5 the order considering the above-referenced authorities. If the Court denies the government's request,
6 it will be ready to file the status report within five days from today's date.

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8 Dated: December 9, 2025

ERIC GRANT
United States Attorney

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10 By: /s/ Joseph Barton
Joseph Barton
Assistant United States Attorney