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

10 KOMALPREET KAUR,
11
12 Petitioner,
13 v.
14 UNITED STATES DEPARTMENT OF
HOMELAND SECURITY ET AL.,
15 Respondents.

CASE NO. 1:25-CV-01726-TLN-SCR
GOVERNMENT’S OPPOSITION TO
PETITIONER’S MOTION FOR TEMPORARY
RESTRAINING ORDER

17 The Petitioner does not meet her burden to show a basis for a temporary restraining order
18 (“TRO”). She is an alien who entered the United States illegally. She is then an “applicant for
19 admission” who is subject to mandatory detention by ICE under 8 U.S.C. § 1225(b)(2)(A). *See,*
20 *generally, Cortes Alonzo v. Noem et al.*, 1:25-cv-01519-WBS-SCR at Dkt. 14 (E.D. Cal. Nov. 17, 2025);
21 *Ramos v. Lyons et al.*, 2:25-cv-09785-SVWAJR at Dkt. 8 (C.D. Cal. Nov. 12, 2025). She is also not
22 entitled to a bond hearing for these same reasons. Therefore, the Petitioner’s motion for a TRO should
23 be denied.

24 Moreover, the Petitioner was initially released and then detained by ICE after she failed to
25 appear for multiple scheduled check-ins. The Respondents submit the declaration of Deportation
26 Officer Ana Juarez to support these facts and provide an overview of the Petitioner’s dealings with ICE.

27 Finally, the Petitioner argues that she should receive a TRO, at least in part, based on her
28 conditions of confinement. The Respondents respectfully maintain their arguments that the Petitioner’s

1 medical needs are being adequately addressed as shown by Officer Juarez's declaration¹ and that a
2 habeas proceeding such as this one is not the proper mechanism for challenging conditions of
3 confinement. *See* Dkt. 7, 8; *see also* *Pinson v. Carvajal*, 69 F.4th 1059, 1065, 1073-75 (9th Cir. 2023);
4 *Badea v. Cox*, 931 F.2d 573, 574 (9th Cir. 1991). These types of challenges must instead be brought in
5 a civil rights action. *See* *Pinson*, 69 F.4th at 1075-76; *Badea*, 931 F.2d at 574; *Brown v. Blanckensee*,
6 857 F. App'x 289, 290 (9th Cir. 2021); *Alcala v. Rios*, 434 F. App'x 668, 669-70 (9th Cir. 2011).

7 For these reasons, the Petitioner cannot show a likelihood of success on the merits and her
8 request for a TRO should be denied. The Respondents do not object to the Court converting the
9 request for a TRO into a request for a preliminary injunction and do not request that the Court schedule
10 a hearing on this matter.

11 Dated: December 17, 2025

ERIC GRANT
United States Attorney

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13 By: /s/ Joseph Barton
Joseph Barton
Assistant United States Attorney
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27 ¹ Officer Juarez's declaration references the Petitioner's medical records. Those records have
28 been removed from the declaration because they have already been filed with the Court under seal.
See Dkt. 15.