

1 ERIC GRANT
2 United States Attorney
3 ANTHONY ANDREWS
4 Assistant United States Attorney
5 2500 Tulare Street, Suite 4401
6 Fresno, CA 93721
7 Telephone: (559) 497-4084
8 Facsimile: (559) 497-4099

9 Attorneys for Respondent

10 IN THE UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA

12 NARCISA DE JESUS YUGLA ALOMALIZA,

13 Petitioner,

14 v.

15 TIMOTHY S. ROBBINS *et al.*,

16 Respondents.

CASE NO. 1:25-CV-01735-WBS-CKD

OBJECTIONS TO MAGISTRATE JUDGE'S
FINDINGS AND RECOMMENDATIONS

17 For the reasons set forth in Respondents' previous briefing, Respondents object to the Findings
18 and Recommendations.

19 However, if the Court nevertheless grants habeas relief, Respondents request clarification
20 language in the Court's order regarding detention in the event of a final order of removal.

21 Under 8 U.S.C. § 1231(a)(1)(A), "when an alien is ordered removed, the Attorney General shall
22 remove the alien from the United States within a period of 90 days." And under 8 U.S.C. §
23 1231(a)(2)(A), "During the removal period, the Attorney General *shall detain the alien.*" (Emphasis
24 added). *See Prieto-Romero v. Clark*, 534 F.3d 1053, 1059 (9th Cir. 2008) (noting mandatory nature of
25 detention during removal period).

26 Out of an abundance of a caution, therefore, Respondents request that the Court include the
27 following language:

28 "Respondents are not enjoined and restrained from detaining Petitioner in the event that
the immigration court issues a final order of removal and the Petitioner receives notice of

1 this order. In such an event, Respondents may detain Petitioner for the purpose of
2 executing removal pursuant to the final order of removal.”

3 Respondents believe that such language will assure the efficient execution of a final order of
4 removal – if one is issued following the completion of due process before an immigration court – and in
5 a manner that sufficiently safeguards Petitioner’s rights and liberties consistent with the federal statute.
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7 Dated: April 3, 2026

ERIC GRANT
United States Attorney

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9 By: /s/ ANTHONY ANDREWS
ANTHONY ANDREWS
Assistant United States Attorney
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