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10 UNITED STATES DISTRICT COURT
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA
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13 RAUL PINEDA MARTINEZ, et al.,

14 Petitioner,

15 v.

16 KRISTI NOEM, et al.,

17 Respondents.
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No. 5:25-cv-03371-HDV-AJR

**FEDERAL RESPONDENTS'
OPPOSITION TO PETITIONERS'
REQUEST FOR § 1226(a) BOND
HEARINGS**

Honorable Hernan D. Vera
United States District Judge

RESPONDENTS' OPPOSITION TO PETITIONER'S
REQUEST FOR § 1226(a) BOND HEARING

I. INTRODUCTION

Respondents hereby oppose Petitioner's Writ of Habeas Corpus [Dkt. 1], which was filed contemporaneously with an *ex parte* application for a temporary restraining order ("Application"), as identified by the Court. [Dkt. 3] Petitioner seeks federal habeas relief compelling the Executive Office for Immigration Review ("EOIR") to conduct an immediate bond hearing under 8 U.S.C. § 1226(a). However – the United States Department of Homeland Security ("DHS") has already taken the exact action that the Petitioner claims is being unlawfully denied and already provided him the exact relief he claims he has not received: DHS issued formal notification on December 2, 2025¹, informing Petitioner he would have an individualized bond hearing on December 8, 2025 pursuant to *Rodriguez v. Holder*, No. 2:07-cv-07-3239-TJH-RNB, 2013 WL 5229795 (C.D. Cal. Aug. 6, 2013), *aff'd in part, rev'd in part sub nom. Rodriguez v. Robbins*, 804 F.3d 1060, 1086 (9th Cir. 2015), *rev'd sub nom. Jennings v. Rodriguez*, 138 S. ct. 830 (2018).

Indeed, this bond hearing proceeded as planned on December 8, 2025, and the government, not the Petitioners, proved by clear and convincing evidence that the Petitioner is a danger and/or a flight risk.² *Id.*

This renders Petitioner's request moot because the government has already afforded even more favorable relief than the relief he seeks. Under 8 U.S.C. § 1226(a), the burden rests on the Petitioner to prove he is not a flight risk or danger. Respondents acknowledge that Petitioner appears to be a member of the Bond Eligible Class certified in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ---,

¹ Formal Notice of Custody Determination Hearing Under *Rodriguez v. Robbins* is attached hereto as Exhibit A

² Immigration Judge Order dated December 8, 2025 Denying Petitioner's Request for a Change in Custody Status is attached hereto as Exhibit B

1 2025 WL 3288403 (C.D. Cal. Nov. 25, 2025). On December 18, 2025, the *Bautista* court
2 entered final judgment as to the Bond Eligible Class. *See Bautista*, ECF No. 94. A notice
3 of appeal was then filed by the *Bautista* defendants on December 18, 2025, ECF No. 95.

4 But through DHS's completion of the above-mentioned *Rodriguez* framework,
5 Petitioner was provided and was unsuccessful at a bond hearing on December 8, 2025
6 where the government shouldered the heightened burden – clear and convincing
7 evidence – which is more generous procedural protection than 8 U.S.C. § 1226(a)
8 provides and exceeds anything Petitioner requests from this Court. It would make no
9 sense to hold a bond hearing, days later, with the only difference being that Petitioner
10 now shoulders a *heavier* burden to show that he is not a flight risk or criminal danger.
11 Indeed, while § 1226(a) provides for an initial bond hearing, Petitioner has received one.

12 Additionally, this case does not resemble *Ibrahim Mohammed Helal v. Janecka et*
13 *al.*, 5:25- cv-02650-HDV-JC (C.D. Cal. October 24, 2025) [Dkt. 12], which involved a
14 fully compliant noncitizen re-detained without cause or process and lacking any access
15 to a bond hearing. Here, DHS has already provided the requested process for Petitioner,
16 a process which he lost. To the extent that Petitioner disagrees with the outcome of his
17 bond hearing (as evinced by him reserving appeal of the December 8, 2025 order) – he
18 can proceed by arguing his case before the BIA, and not through a District Court habeas
19 petition. Consequently, this case bears no resemblance to the Petitioner in *Helal*, and
20 should be assessed afresh in light of these widely disparate facts presented.

21 Accordingly the Petition should be denied.

22 **II. ARGUMENT**

23 **A. Petitioner's Claim is Moot**

24 Petitioner alleges he was denied a bond hearing despite being detained under 8
25 U.S.C. § 1226(a). *See* TRO Application at 6. As described above, on December 2, 2025,
26 DHS issued a formal *Rodriguez* bond-hearing notification to Petitioner. Petitioner
27 attended this hearing while represented by counsel, and he was found to be a danger to
28 the community and flight risk by the immigration judge, shown by clear and convincing

1 evidence by DHS. Thus, this habeas petition should be dismissed as moot where
2 Petitioner was provided process that he was unsuccessful at. The fact he disagreed with
3 the outcome of his hearing does not indicate that a procedural due process violation has
4 occurred.

5 **B. *Helal v. Janecka* Does Not Control Because Petitioner’s Circumstances**
6 **Are Fundamentally Distinct.**

7 The Court directed Respondents to address why this case should not be governed
8 by the Court’s prior decision in *Ibrahim Mohammed Helal v. Janecka et al.*, 5:25- cv-
9 02650-HDV-JC (C.D. Cal. October 24, 2025) [Dkt. 12]. Apart from what has already
10 been stated above, although *Helal* involved a habeas petitioner seeking a bond hearing
11 under 8 U.S.C. § 1226(a), the resemblance to the present matter ends there. The factual
12 predicate in *Helal* was unique, sympathetic, and – critically – completely devoid of any
13 of the risk indicators present for Petitioner in this case.

14 In *Helal*, the Court’s analysis was grounded in the fact that DHS had *already*
15 determined *Helal* did not pose a flight risk or danger, and then re-detained him with no
16 hearing, no explanation, and no procedural step to revisit that prior determination. That
17 is why the Court viewed the re-detention as constitutionally suspect and why the Court
18 ordered a bond hearing within seven days.

19 The fundamental premise of *Helal* is absent here.

20 **III. CONCLUSION**

21 Petitioner’s request for relief by the Application should be denied and an OSC
22 should issue as to why the Petition should not be dismissed for mootness.

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Respectfully submitted,

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* The undersigned, counsel of record for the Federal Respondents certifies that this brief contains 862 words, which complies with the word limit of L.R. 11-6.1.