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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT, CALIFORNIA

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11 SALOMON LEON FLORES  
12 Petitioner,

Case No. **'25CV3634 JLS DDL**

Agency No. A 

13 v.

14 JEREMY CASEY, Senior Warden of Imperial  
Regional Detention Facility, DANIEL  
15 BRIGHTMAN, Field Office Director of  
Enforcement and Removal Operations, San  
16 Diego Field Office, Immigration and Customs  
Enforcement; PAMELA BONDI, U.S. Attorney  
17 General; EXECUTIVE OFFICE FOR  
IMMIGRATION REVIEW, KRISTI NOEM,  
18 Secretary, U.S. Department of Homeland  
Security.

**PETITION FOR WRIT OF  
HABEAS CORPUS; FOR AN ORDER  
TO SHOW CAUSE WITHIN  
3 DAYS; AND TO ENJOIN  
TRANSFER FROM THE  
JURISDICTION**

19 Respondents.

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1 INTRODUCTION

2 1. Petitioner, Salomon Leon Flores (hereinafter “Petitioner”), brings this petition for  
3 a writ of habeas corpus to seek enforcement of his right to a custody hearing as a member of the  
4 Bond Denial Class certified in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM  
5 (C.D. Cal.), as well as under long standing statutory and constitutional law. Petitioner is in the  
6 physical custody of Respondents at the Imperial Regional Detention Facility.

7 2. He now faces continued unlawful detention because the Department of Homeland  
8 Security (DHS) has refused to abide by the declaratory judgment issued on behalf of the certified  
9 class in *Maldonado Bautista v. Santacruz*.

10 3. On November 20, 2025, the district court granted partial summary judgment on  
11 behalf of individual plaintiffs and on November 25, 2025, certified a nationwide class and  
12 extended declaratory judgment to the certified class. *Maldonado Bautista v. Santacruz*, No. 5:25-  
13 CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3289861, at \*11 (C.D. Cal. Nov. 20, 2025)  
14 (order granting partial summary judgment to named Plaintiffs-Petitioners); *Maldonado Bautista*  
15 *v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3288403, at \*9 (C.D.  
16 Cal. Nov. 25, 2025) (order certifying Plaintiffs-Petitioners’ proposed nationwide Bond Eligible  
17 Class, incorporating and extending declaratory judgment from Order Granting Petitioners’  
18 Motion for Partial Summary Judgment).

19 4. The declaratory judgment held that the Bond Denial Class members are detained  
20 under 8 U.S.C. § 1226(a) and thus may not be denied consideration for release on bond under §  
21 1225(b)(2)(A). *Maldonado Bautista*, 2025 WL 3289861, at \*11.

22 5. Nevertheless, DHS continues to argue that the Immigration Court lacks  
23 jurisdiction to conduct a bond hearing under INA § 236, and the Immigration Court denied  
24

1 Petitioner’s request for a custody redetermination on that basis. Specifically, the Immigration  
2 Judge concluded that, despite Petitioner’s class membership and entitlement to the declaratory  
3 relief recognized in *Maldonado Bautista*, the Court is “bound” by the Board’s decision in *Matter*  
4 *of Yajure-Hurtado*, 29 I&N Dec. 216 (BIA 2025), and that Petitioner’s bond request is  
5 “premature” absent further orders in the class litigation. *See* Exhibit 2.

6 6. This petition seeks habeas relief to end Petitioner’s unlawful detention and to  
7 compel Respondents to provide the individualized custody process required by law—i.e., a  
8 prompt bond hearing under INA § 236(a) before an Immigration Judge with jurisdiction to  
9 adjudicate release.

10  
11 **STATEMENT OF FACTS**

12 7. Petitioner last entered the United States without being admitted in or about  
13 February 2000, at or near San Ysidro, California. He has remained in the United States since that  
14 entry and was not apprehended at the border at the time of entry. *See* Exhibit 1.

15 8. Petitioner is married to Maria Isabel Leon. Petitioner and his spouse purchased a  
16 home in San Diego. Their monthly mortgage is approximately \$2,200, and total monthly  
17 household bills are approximately \$2,800. Since Petitioner’s detention, his daughters have been  
18 helping pay these expenses, and the family fears losing the home.

19 9. For more than three years, Petitioner has been employed with Greenbriar  
20 Landscaping. Before that, he worked for years at Parkway Bowl in El Cajon and stopped  
21 working there during the COVID period. Petitioner has filed tax returns since his arrival to the  
22 United States. Petitioner has no criminal history aside from his immigration history.

1 10. DHS issued Petitioner a Notice to Appear (NTA) dated July 24, 2025, setting an  
2 initial master calendar hearing for September 8, 2025, at the San Diego Immigration Court. *See*  
3 Exhibit 1. After the first master calendar hearing, Petitioner was referred to the ISAP program  
4 and instructed to check in by phone. On September 9, 2025, ICE conducted a residence check at  
5 Petitioner's home; Petitioner was not detained and returned to his family.

6 11. On September 10, 2025, Petitioner was directed to check in with Enforcement and  
7 Removal Operations (ERO); he was detained at that check-in and later transferred to the Imperial  
8 Regional Detention Facility, where he remains detained.

9 12. Petitioner suffers from diabetes and a hernia. Prior to detention, Petitioner had  
10 surgery planned for the hernia, which was cancelled after he was taken into custody.

11 13. On December 1, 2025, the Immigration Court denied Petitioner's bond hearing.  
12 The Immigration Judge found that she lacked authority to redetermine the petitioner's custody  
13 based on case precedent from the Immigration Board of Appeals in *Yajure Hurtado*, 29 I&N  
14 Dec. 216 (BIA 2025) despite the District Court's subsequent order in *Maldonado Bautista*, 2025  
15 *WL 3289861*, at \*11.

16 14. Respondents are bound by the judgment in *Maldonado Bautista*, as it has the full  
17 "force and effect of a final judgment." 28 U.S.C. § 2201(a). Nevertheless, Respondents continue  
18 to flagrantly defy the judgment and continue to subject Petitioner to unlawful detention despite  
19 his clear entitlement to consideration for release on bond as a Bond Eligible Class member.

20  
21 **VENUE AND JURISDICTION**

22 15. Petitioner is in the physical custody of Respondents. Petitioner is detained at the  
23 Imperial Regional Detention Center, an ICE detention center, located within Imperial County,  
24

1 and Jeremy Casey is his immediate custodian as the Warden of the facility. As such, venue is  
2 proper in this Court. 28 U.S.C. section 2241(d) and 1391 (e) *Braden v. 30th Judicial Circuit*  
3 *Court of Kentucky*, 410 U.S. 484, 493- 500 (1973).

4 16. This Court has jurisdiction under 28 U.S.C. § 2241(c)(5) (habeas corpus), 28  
5 U.S.C. § 1331 (federal question), and Article I, section 9, clause 2 of the United States  
6 Constitution (the Suspension Clause).

7 **REQUIREMENTS OF 28 U.S.C. § 2241, 2243**

8 17. The Court should grant the petition for writ of habeas corpus “forthwith,” as the  
9 legal issues have already been resolved for class members by its sister court in *Maldonado*  
10 *Bautista*. If an OSC is issued, the Court must require Respondents to file a return “within three  
11 days unless for good cause additional time, not exceeding twenty days, is allowed.” 28 U.S.C. §  
12 2243.

13 18. Habeas corpus is “perhaps the most important writ known to the constitutional  
14 law . . . affording as it does a *swift* and imperative remedy in all cases of illegal restraint or  
15 confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added). “The application for the  
16 writ usurps the attention and displaces the calendar of the judge or justice who entertains it and  
17 receives prompt action from him within the four corners of the application.” *Yong v. I.N.S.*, 208  
18 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

19 19. Petitioners are “in custody” for the purpose of § 2241 because they were arrested  
20 and remain detained by the Respondents.

21 **PARTIES**

22 20. Petitioner Salomon Leon Flores is a 56-year-old native of Mexico who has been  
23 in immigration detention since September 10, 2025. Petitioner was directed to check in with the  
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1 San Diego ERO, where he was detained and later transferred to the Imperial Regional Detention  
2 Facility, where he remains.

3 21. Respondent Daniel Brightman is the Field Office Director of ICE's Enforcement  
4 and Removal Operations division, San Diego, CA. As such, Brightman is Petitioner's immediate  
5 custodian and is responsible for Petitioner's detention and removal. He is named in his official  
6 capacity.

7 22. Respondent Kristi Noem is the Secretary of the Department of Homeland  
8 Security. She is responsible for the implementation and enforcement of the Immigration and  
9 Nationality Act (INA), and oversees ICE, which is responsible for Petitioner's detention. Ms.  
10 Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.

11 23. Respondent Department of Homeland Security (DHS) is the federal agency  
12 responsible for implementing and enforcing the INA, including the detention and removal of  
13 noncitizens.

14 24. Respondent Pamela Bondi is the Attorney General of the United States. She is  
15 responsible for the Department of Justice, of which the Executive Office for Immigration Review  
16 and the immigration court system it operates is a component agency. She is sued in her official  
17 capacity.

18 25. Respondent Executive Office for Immigration Review (EOIR) is the federal  
19 agency responsible for implementing and enforcing the INA in removal proceedings, including  
20 for custody redeterminations in bond hearings.

21 26. Respondent Jeremy Casey is employed as Warden of the Imperial Regional  
22 Detention Facility, where Petitioner is detained. He has immediate physical custody of  
23 Petitioner. He is sued in his official capacity.

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1 nor a threat to the community. His continued confinement thus bears no reasonable, non-  
2 punitive relationship to any legitimate aim and is constitutionally arbitrary.

3 37. Applying the long-standing precedent of *Mathews v. Eldridge*, 424 U.S. 319  
4 (1976), Petitioner's liberty interest is paramount, and the risk of erroneous deprivation is extreme  
5 as he is given no venue to show that he is not subject to mandatory detention under section 1226  
6 (c). The risk is further heightened by the apparent lack of an independent adjudicator. *Marcello*  
7 *v. Bonds*, 39 U.S. 302, 305-306 (1955).

8 38. Counsel thus posits that the Defendants are in violation of the *Maldonado*  
9 *Bautista* precedent, the statutory framework in the INA and the code of federal regulations, as  
10 well as the Fifth Amendment/ Due Process Clause

11 **PRAYER FOR RELIEF**

12 WHEREFORE, Petitioner prays that this Court grant the following relief:

- 13 a. Assume jurisdiction over this matter;
- 14 b. Enjoin Respondents from transferring Petitioner out of the jurisdiction during the  
15 pendency of these proceedings;
- 16 c. Order Respondents to file a response within 3 business days of the filing of this  
17 petition as to why Petitioner should not be given a custody hearing;
- 18 d. Issue a writ of habeas corpus requiring Respondents to release Petitioner within  
19 one day;
- 20 e. Alternatively, issue a writ of habeas corpus requiring Respondents to release  
21 Petitioner unless they provide a bond hearing under 8 U.S.C. § 1226(a) within  
22 seven days;
- 23 f. Award Petitioner attorney's fees and costs under the Equal Access to Justice Act  
24 (EAJA), as amended, 28 U.S.C. § 2412, and on any other basis justified under  
law; and

1 g. Grant any other and further relief that this Court deems just and proper.

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3  
4 DATED: December 17, 2025

5 //S// ISAAC B. RODRIGUEZ  
6 Union Law Group  
7 (760) 693-0254  
8 isaac@unionlawgroup.com  
9 Attorney for Petitioner

10 **28 U.S.C. § 2242 VERIFICATION STATEMENT**

11 I am submitting this verification on behalf of the petitioner because I am the Petitioner's  
12 attorney. I have discussed with the Petitioner the events described in this Petition and Complaint.  
13 On the basis of those discussions, I hereby verify that the statements made in this Petition and  
14 Complaint are true and correct to the best of my knowledge.

15  
16 DATED: December 17, 2025

17 //S// ISAAC B. RODRIGUEZ  
18 Union Law Group  
19 (760) 693-0254  
20 isaac@unionlawgroup.com  
21 Attorney for Petitioner

**EXHIBIT LIST**

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EXHIBIT 1	NOTICE TO APPEAR	P.15-19
EXHIBIT 2	IMMIGRATION JUDGE ORDER DENYING BOND HEARING	P.21-22

1 **CERTIFICATE OF ELECTRONIC SERVICE**

2  
3 I, ISAAC B RODRIGUEZ, CONFIRM THAT ON DECEMBER 17, 2025, I  
4 UPLOADED THE ATTACHED PETITION FOR WRIT OF HABEAS CORPUS INTO THE  
5 PACER SYSTEM, AND THAT NO SEPARATE SERVICE IS REQUIRED AS ALL PARTIES  
6 ARE PARTICIPATING IN THE SYSTEM.

7  
8 //S// ISAAC B. RODRIGUEZ  
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