

1 BEN LOVEMAN
2 REEVES IMMIGRATION LAW GROUP
3 425 CALIFORNIA STREET SUITE 1250
4 SAN FRANCISCO, CA 94104
5 PHN: 415-960-5182
6 bloveman@reevesimmigration.com

7 **UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**

9 **IMMIGRATION CASE**

10 **SANJEEV BUDHA.**

11 Plaintiff,

12 **v.**

13 **RON MURRAY, ET AL**

14 Defendants,

Civil No.: 1:25-cv-01941-JLT-HBK

**PETITIONER'S OBJECTION TO
FINDINGS AND
RECOMMENDATIONS¹**

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Petitioner's sole objection to the Magistrate Judges Report and Recommendations is as to the remedy. ECF No. 14 at 14-15. Petitioner asks the Court to order immediate release where the facts of his case much more closely mirror other cases where this Court has granted immediate release versus an individualized bond hearing. *See e.g. Garcia v.*

¹ Counsel apologizes to the Court and to his client, and asks the Court to consider Petitioner's objections though submitted beyond the 5 day deadline afforded by the Magistrate Judge which expired on Saturday February 7, 2026.

1 *Chestnut* (E.D.Cal. Dec. 31, 2025, No. 1:25-cv-01907-JLT-CDB) 2025 U.S.Dist.LEXIS
2 268412, at *31.

3 It is of course accurate, as noted by the Magistrate Judge, that the Form I-213
4 maintained by Respondents in relation to some aspects of Petitioner's immigration
5 history, indicates that there was some sort of violation of phone reporting about six
6 months prior to detention. ECF. No. 14 at 16. However, the record here shows that this
7 'violation' is almost certainly not the basis for Petitioner's arrest and certainly did not
8 cause Respondents to conduct an individualized analysis or consideration of whether
9 Petitioner was likely to take flight.

10 Further, Respondents, though given opportunity to answer, have submitted no
11 evidence tending to show the nature, severity, reliability, or any other information related
12 to the supposed violation. Respondents have not explained to the Court what action or
13 inaction triggered the violation, how the system monitoring 'violations' is supposed to
14 work, how often the system does not work properly, or any other information or data
15 about Petitioner's overall record of compliance or the number of 'violations' that might
16 appear in a typical case, or of why the violation triggered arrest or is indicative of risk of
17 flight.

18 Instead, Respondents, in the midst of a push to hit well-documented quotas,
19 prepared or updated a form to indicate the existence of a violation the very same date that
20 they arrested Petitioner. *See e.g. Rosado v. Figueroa*, No. CV 25-02157 PHX DLR
21 (CDB), 2025 U.S. Dist. LEXIS 156344, at *11 (D. Ariz. Aug. 11, 2025)(discussing
22 quotas). In their filings before this Court, Respondents do not argue that Petitioner is a
23 flight-risk (or even mention the supposed violation), but instead that detention is
24 mandatory, in effect, *rendering the supposed violation meaningless to their arrest of the*
25 *petitioner*. This fact is born out in thousands of other cases around the country where
26 arrests have been made in the absence of even a pretext. *See e.g. Kavosi v. Larose*, No.
27 25-cv-03288-BAS-MMP, 2025 U.S. Dist. LEXIS 262094, at *3 (S.D. Cal. Dec. 18,
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2025)(arrest despite no violations of terms of prior release). What need is there for a pretext to arrest when, at least in Respondent's eyes, everyone is arrestable?

Finally, Petitioner would have no qualms going before a *neutral* arbiter to discuss whether his record and relevant factors show that he is a flight risk. However, Petitioner's concern is that the immigration court is unlikely to be able to serve that role due to systemic and other forces. Bond hearings before Immigration Judges vary wildly in format and length with some judge's not even allowing noncitizens or their witnesses to testify. Additionally, there are credible reports of overt efforts from EOIR leadership to influence the outcomes in immigration court including in bond proceedings. *See e.g. Garcia v. Hyde*, No. 25-cv-585-JJM-PAS, 2025 U.S. Dist. LEXIS 253787, at *28 (D.R.I. Dec. 3, 2025)("A former judge in the Chelmsford Immigration Court—the court that denied Mr. Garcia's bond request—recently stated in an interview that he "was told to rule in a certain way" by his superiors, who "also had pressure from above." *Romero*, 795 F. Supp. 3d 271, 2025 WL 2403827, at *7 (citing Oscar Margain, *Fired Immigration Judges Describe Threat to Judicial Independence* from Justice Dept., NBC Boston (July 25, 2025), <https://www.nbcboston.com/news/local/fired-us-immigration-judge-interviews/3776340>).

Thus, if this Court finds that the most appropriate remedy in this case would be a bond hearing, Petitioner asks that the hearing be conducted before this Court, the Magistrate Judge, or some other independent arbitration agency or private individual rather than at the immigration court.

Dated: February 8, 2026,

Respectfully,

/s/Ben Loveman

Ben Loveman

Attorney for the Petitioner