

DETAINED

**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OTAY MESA IMMIGRATION COURT
SAN DIEGO, CALIFORNIA**

FILED
DEC 12 2025
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *GW* DEPUTY

In the Matter of:)

GROSSO, ALVARO MATIAS)
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File No.: **'25CV3593 JES BLM**

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Next Hearing: December 4, 2025

**RESPONDENT'S SUPPLEMENTAL BRIEF IN SUPPORT OF MOTION FOR STAY OF
REMOVAL**

I. INTRODUCTION

Respondent, Alvaro Mattias Grosso, (hereinafter "Respondent" or "Mr. Grosso") hereby submits this motion, pro-se, to stay his removal from the United States. Mr. Grosso meets the standard for a stay of removal as (1) it is probable that he will suffer irreparable harm if the stay is denied, (2) he raises a substantial case for relief on the merits, and (3) the public interest does not weigh against a stay of removal. *Leiva-Perez v. Holder*, 640 F.3d 962, 970 (9th Cir. 2011).

First, Respondent faces irreparable harm if his stay of removal is not granted. Mr. Grosso is removable to Argentina, but has a pending application for a T visa that he wants to pursue to a final determination. Mr. Grosso experienced severe human trafficking and abuse in Los Angeles, California. If Mr. Grosso is removed before a decision is issued on his T Visa application, his application will be closed.

Mr. Grosso raises a substantial case for relief on the merits. Throughout the time that he was trafficked, Mr. Grosso's identification documents were taken from him and he was unable to convince the individuals trafficking him to return the documents. The individuals then began to extort Mr. Grosso, claiming that it was Mr. Grosso, who despite working for them for free for many months, owed them large sums of money. Mr. Grosso's case is one of blatant human trafficking, which was witnessed by many individuals who have either provided or are willing to provide statements in support of Mr. Grosso's claim. Thus, Mr. Grosso has a high likelihood of success on the merits.

Finally, Mr. Grosso's removal to Argentina does not serve the public interest. Mr. Grosso has been present in the United States since 2023. He has no criminal record in the United States or any other country. The public interest is in no way served by Mr. Grosso's removal, especially as this would mean that Mr. Grosso's T Visa application would close. This would likely leave Mr.

Grosso's traffickers unaccountable, and able to continue their pattern of abuse against individuals residing in the United States, which is in blatant contradiction with the public interest.

II. PROCEDURAL AND FACTUAL HISTORY

Mr. Grosso is a 49 year old citizen of both Italy and Argentina. In 2023, he left his life in Argentina for the United States after forming what he understood to be a lawful agreement between himself and two U.S. Citizens, Jeremy Munzo and Victoria Araya. Mr. Grosso was familiar with Ms. Araya as they are both natives of Argentina from the same town and had met at various social events.

The agreement stated that Mr. Grosso would work on Mr. Munzo and Ms. Araya's farm, live in their home, and receive payment and a work permit for his efforts. Mr. Grosso honored his portion of the commitment: traveling to the United States and providing months of labor on Mr. Munzo and Ms. Araya's farm. Mr. Munzo and Ms. Araya did not honor their portion of the agreement. They refused to pay him, withheld his travel and identity documents, did not provide him with a work permit, and advised him that Mr. Munzo's connections in the United States military would supersede any police he contacted to have them held accountable. They then advised Mr. Grosso that it was actually he that owed them money, in the amount of \$20,000 due to the expenses they had incurred to house him.

With no options, Mr. Grosso paid his traffickers as much as he was able. Mr. Grosso was afraid to flee, not only because his documents were being withheld, but also because he did not know anyone in the United States. He had no home, money, friends, or family to rely on, and was afraid to be left on the street with nothing. Finally, after months of suffering, Mr. Grosso was able to recollect his documents from his traffickers and escape when they were absent from the home on or about September 2023.

The months that followed were very challenging for Mr. Grosso. He spent some time unhoused living in a park. It did not take long, however, for Mr. Grosso to find himself housed and surrounded by new friends. Mr. Grosso volunteered to help extinguish wildfires in Pasadena earlier this year. Mr. Grosso left his life in Argentina for what he believed to be a lawful, valid pathway to employment and residence in the United States. Despite his immense challenges with Mr. Munzo and Ms. Araya, he was able to build a life for himself with meaning and connection to his new community.

III. ARGUMENT

A non-citizen seeking a stay of removal must demonstrate (1) a probability that he will suffer irreparable harm if the stay is not granted, (2) his claim on the merits is sufficiently strong, and (3) the public interest insufficiently weighs against a stay. *Leiva-Perez*, 640 F.3d at 970. While the probability of irreparable harm is irreducible and stands alone, the likelihood of success on the merits and public interest factors operate on “a continuum, with the relative hardships to the parties providing the critical element in determining at what point on the continuum a stay pending review is justified.” *Id.* (citation and quotation marks omitted). Thus, once he establishes irreparable harm is probable, a petitioner can succeed by showing a balance of “either: (a) a strong likelihood of success on the merits and that the public interest does not weigh heavily against a stay; or (b) a substantial case on the merits and that the balance of hardships tips sharply in the petitioner's favor.” *Id.* This continuum operates much like that involved in the balance of factors for a preliminary injunction. *Id.*

Mr. Grosso warrants a stay of removal because (1) he is likely to suffer irreparable harm if he is returned to Argentina without an opportunity to pursue his T Visa, (2) he demonstrates a likelihood of success on the merits and (3) the public interest does not warrant denial of a stay.

IV. IRREPARABLE HARM

“[T]o obtain a stay of removal, an alien must demonstrate that irreparable harm is probable if the stay is not granted.” *Id.* at 968. ground or a procedural bar to relief exists. *Id.* at 969. “[O]ther important irreparable harm factors include separation from family members, medical needs, and potential economic hardship.” *Id.* at 969-70 (quoting *Andrieu v. Ashcroft*, 253 F.3d 477, 484 (9th Cir.2001) (brackets omitted) (en banc)).

Mr. Grosso faced human trafficking for several months which ultimately led him to experiencing homelessness and immigration detention. The abuse he suffered, and the subsequent challenges he faced will have been entirely in vain if Mr. Grosso is removed to Argentina prior to the rendering of a decision on his pending T Visa application. To disregard Mr. Grosso’s suffering and disqualify him from any potential relief on the merits would cause him irreparable harm.

V. LIKELIHOOD OF SUCCESS ON THE MERITS

“[I]n order to justify a stay, a petitioner must show, at a minimum, that she has a substantial case for relief on the merits.” *Leiva-Perez*, 640 F.3d at 968. Mr. Grosso clearly meets this standard as his claim on the merits is strong.

Mr. Grosso applied for a T Visa based on his experience in Woodland Hills, California. To qualify for a T Visa, one must demonstrate: (1) They are or have been a victim of a severe form of human trafficking; (2) They are physically present in the United States, American Samoa, the Commonwealth of Northern Mariana Islands, or at a port of entry because they are being trafficked; (3) They complied with any reasonable request from a law enforcement agency for assistance with the detection, investigation, or prosecution of human trafficking; (4) They

would suffer severe harm if they were removed from the United States; and (5) They are admissible to the United States.

Mr. Grosso's circumstances are in clear alignment with the requirements of a T Visa. He was brought to the United States by human traffickers, who required him to work on the future promise of payment, work authorization, housing, and ultimately long term stable employment. Once Mr. Grosso arrived in the United States, his traffickers took his travel and identity documents, failed to provide him with a work permit, and not only refused to pay him, but then alleged that it was Mr. Grosso who owed money to them. Mr. Grosso has filed a police report regarding this experience and is willing and able to comply with any requests by law enforcement to further the investigation and prosecution of his traffickers. If Mr. Grosso is removed from the United States he will face the irreparable harm of his T Visa application being closed. Mr. Grosso has no criminal history and poses no threat to public safety or national security, thus, he is likely admissible to the United States. Mr. Grosso's current circumstances are in line with the requirements of a T Visa, making him highly likely to be successful on the merits if he is provided a full and fair opportunity to have his T Visa adjudicated.

VI. PUBLIC INTEREST

In determining whether there is sufficient public interest to justify denial of a stay, the government bears the burden to, "bring circumstances concerning the public interest to the attention of the court." *Leiva-Perez*, 640 F.3d at 970. The Court may consider the "public interest in preventing aliens from being wrongfully removed, particularly to countries where they are likely to face substantial harm," which it must balance against the public interest, "in prompt execution of removal orders, which may be heightened in certain circumstances, such as those involving particularly dangerous noncitizens." *Id.* (internal citations and quotations omitted).

Here, there is insufficient public interest in removing Mr. Grosso to Argentina before the adjudication of his pending T Visa. Mr. Grosso has no criminal history in the United States or any country. Mr. Grosso was trafficked by individuals residing in the state of California, and would gladly cooperate with law enforcement to ensure accountability is brought to the appropriate parties. To remove him to Argentina, subsequently causing his T Visa application to be denied, would be to deny not only justice to Mr. Grosso, but it would also deny the American public a potential opportunity to ensure traffickers in the United States are held accountable. It would be deeply against the public interest to have Mr. Grosso removed before a decision can be issued on his T Visa.

VII. CONCLUSION

For the foregoing reasons, Mr. Grosso submits this motion to stay removal pro-se. He is likely to face irreparable harm if he is removed to Argentina prior to a decision being rendered on the merits on his pending T Visa application, he has a high likelihood of success on the merits, and a denial of the stay does not serve the public interest.

Date:

Respectfully Submitted,

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
OTAY MESA IMMIGRATION COURT
SAN DIEGO, CALIFORNIA

In the Matter of:)
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Alvaro Mattias Grosso)
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In removal proceedings)
)
_____)

File No.: A 

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of the Respondent's Motion to Stay, it is **HEREBY ORDERED** that the motion be GRANTED DENIED because:

- DHS does not oppose the motion.
- The Respondent does not oppose the motion.
- A response to the motion has not been filed with the court.
- Good cause has been established for the motion.
- The court agrees with the reasons stated in the opposition to the motion.
- The motion is untimely per _____.
- Other:

Deadlines:

- The application(s) for relief must be filed by _____.
- The respondent must comply with DHS biometrics instructions by _____.

Date

Immigration Judge

Certificate of Service

This document was served by: Mail Personal Service

To: Alien Alien c/o Custodial Officer Alien's Atty/Rep DHS

Date: _____ By: Court Staff _____

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CERTIFICATE OF SERVICE

On _____, I, served this document upon the Department of Homeland Security.

Signature

Date