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5 *Counsel for Petitioner*

6 **IN THE UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF NEVADA**

8 Daniel RIVERA MEDINA,
9 *Petitioner,*

10 v.

11 Jason KNIGHT, Field Office Director, Salt
Lake City Field Office, U.S. Immigration and
12 Custom Enforcement, Enforcement and
Removal Operations Division;

13 John MATTOS, Warden, Nevada Southern
14 Detention Center;

15 Kristi NOEM, Secretary, United States
Department of Homeland Security;

16 Pamela BONDI, Attorney General of the United
17 States,

18 *Respondents.*

Case No. 2:25-cv-02551-RFB-NJK

**PETITIONER'S MOTION TO
DISMISS PURSUANT TO FRCP RULE
41**

Judge Richard Boulware

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1 **I. INTRODUCTION**

2 1. On December 31, 2025, Immigration Judge Daugherty of the Las Vegas
3 Immigration Court held that the nationwide class action and final order in *Maldonado Bautista et.*
4 *al. v. Ernesto Santacruz Jr. et. al.*, 5:25-cv-01873-SSS-BFM (U.S. Dist. Ct. Cen. D. CAL., Dec.
5 18, 2025), which binds the Respondents, specifically Immigration Judges, to accept jurisdiction
6 and determine bond for noncitizens who find themselves similarly situated to Mr. Rivera Medina,
7 did apply to Petitioner Rivera Medina.

8 2. Namely, the class was certified as to, “All noncitizens in the United States without
9 lawful status who (1) have entered or will enter the United States without inspection; (2) were not
10 or will not be apprehended upon arrival; and (3) are not or will not be subject to detention under 8
11 U.S.C. § 1226(c), § 1225(b)(1), or § 1231 at the time the Department of Homeland Security makes
12 an initial custody determination.” *Id.*

13 3. Accordingly, after considering the positive and negative equities, the evidence
14 presented, and considering all factors present in Mr. Rivera Medina’s situation, IJ Daugherty
15 granted bond at \$5,500 and release under Alternatives to Detention (“ATD”) at DHS discretion.
16 He also ordered that Mr. Medina not consume alcohol or recreational drugs, and that he not drive
17 without a license and liability insurance. DHS waived appeal. *See Attached Exhibit 7-1.*

18 4. On January 2, 2025, Mr. Rivera Medina’s wife had paid the bond, and he was
19 released from custody.

20 **III. CONCLUSION**

21 5. For the foregoing reasons, as the respondents have released Mr. Rivera Medina
22 from custody and there is no longer any controversy in this case, Petitioner seeks to dismiss the
23 present action pursuant to Federal Rule of Civil Procedure 41.

1 DATED this 2nd day of January 2026.

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