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5 Attorney for Petitioner,  
6 Alejandro Sandoval-Garcia

7  
8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
10

11 ALEJANDRO SANDOVAL-GARCIA, ) Case No. '25CV3738 LL MSB

12 Petitioner, )

13 v. )

14 ) PETITION FOR WRIT OF  
15 ) HABEAS CORPUS AND  
16 ) COMPLAINT FOR  
17 ) DECLARATORY AND  
18 ) INJUNCTIVE RELIEF

19 )  
20 ) PAM BONDI, Attorney General of the  
21 ) United States, in her official capacity;  
22 ) KRISTI NOEM, Secretary of the U.S.  
23 ) Department of Homeland Security, in her  
24 ) official capacity; EXECUTIVE OFFICE  
25 ) FOR IMMIGRATION REVIEW; TODD  
26 ) LYONS, Acting Director of U.S.  
27 ) Immigration and Customs Enforcement,  
28 ) in his official capacity; PATRICK  
29 ) DIVVER, ICE Field Office Director for  
30 ) San Diego County, in his official capacity;  
31 ) WARDEN OF IMPERIAL REGION  
32 ) DETENTION FACILITY.  
33 )

34 Respondents. )  
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## INTRODUCTION

1. Petitioner Alejandro Sandoval-Garcia is a 54-year-old national of Mexico. His last entry into the United States was without inspection on or about December 25, 2001. On October 6, 2017, Petitioner married his United States-citizen wife, Carmen Julia Atencio. On December 13, 2017, Petitioner's wife filed a Form I-130 Petition for Alien Relative on his behalf, which was approved on March 14, 2019, with a priority date of December 13, 2017. Since that time, Petitioner's immigrant visa petition has remained pending at the National Visa Center, contingent on adjudication of his Form I-601A provisional unlawful-presence waiver.

2. Until October 22, 2025, Petitioner remained at liberty. On that date, he was detained by Immigration and Customs Enforcement during an interior enforcement action near a Home Depot location and placed in removal proceedings under INA § 240. Petitioner is charged solely under INA § 212(a)(6)(A)(i) and is not subject to mandatory detention under INA § 236(c) or post-order detention under INA § 241.

3. After DHS denied release, Petitioner requested a custody redetermination hearing pursuant to INA § 236(a). The Immigration Judge declined to conduct any bond hearing and expressly ruled that the court lacked jurisdiction to consider custody, citing *Matter of Yajure-Hurtado*, 29 I&N Dec. 216 (BIA 2025). The Immigration Judge made no individualized findings regarding danger to the community, risk of flight, ability to pay, or conditions of release.

4. As a result, Petitioner remains detained without any custody

1 determination by a neutral adjudicator, solely by operation of a categorical agency  
2 rule that purports to strip Immigration Judges of the authority Congress expressly  
3 granted under INA § 236(a).  
4

5 Petitioner's continued detention is therefore not the product of discretionary  
6 judgment, but of a mandatory legal rule whose validity is a pure question of law  
7 and is properly reviewed through habeas corpus.

### 8 **JURISDICTION AND VENUE**

9 12. This Court has jurisdiction under 28 U.S.C. §§ 2241 and 1331  
10 because Petitioner is in federal custody and challenges the legality of his continued  
11 civil immigration detention. The Suspension Clause preserves habeas corpus  
12 review of executive detention, including immigration detention. See U.S. Const.  
13 art. I, § 9, cl. 2.  
14

15 13. This Court also has jurisdiction under the Administrative Procedure Act, 5  
16 U.S.C. §§ 702 and 706, because Petitioner challenges final agency action that is  
17 alleged to be arbitrary, capricious, contrary to law, and in excess of statutory  
18 authority. The APA waives sovereign immunity for the declaratory and injunctive  
19 relief sought here.  
20

21 14. Venue is proper in the Southern District of California under 28 U.S.C. §  
22 1391(e)(1)–(2). Petitioner was arrested in this District, removal proceedings are  
23 pending before an Immigration Court located in this District, and DHS and ICE  
24 officials responsible for enforcing the challenged detention policy and determining  
25 Petitioner's bond eligibility exercise authority within this District.  
26

27 15. To the extent DHS has transferred or may transfer Petitioner outside this  
28 District, such transfer does not defeat venue or jurisdiction. Petitioner challenges

1 the legality of his detention based on a binding agency rule that purports to  
2 eliminate Immigration Judge bond jurisdiction, and seeks habeas, declaratory, and  
3 injunctive relief that can be granted only by senior DHS and ICE officials—not by  
4 the immediate facility custodian. See *Rumsfeld v. Padilla*, 542 U.S. 426, 436 n.8  
5 (2004).  
6

7 16. The Court is authorized to grant declaratory relief under 28 U.S.C. §§  
8 2201–2202 and injunctive relief under 5 U.S.C. § 702, in addition to habeas relief,  
9 to remedy ongoing unlawful detention and to prevent continued enforcement of  
10 agency action that exceeds statutory authority.  
11

#### 12 **PARTIES**

13 17. Petitioner Alejandro Sandoval-Garcia is a native and citizen of  
14 Mexico who has resided continuously in California since 2001. He was arrested in  
15 this District on October 22, 2025.

16 18. Respondent Pam Bondi is the Attorney General of the United States  
17 and is sued in her official capacity as the head of the Department of Justice. The  
18 Attorney General is responsible for the fair administration of the laws of the United  
19 States.  
20

21 19. Kristi Noem, Secretary of the U.S. Department of Homeland Security  
22 (DHS), is sued in her official capacity as the Cabinet official charged with  
23 administration and enforcement of the immigration laws, including custody and  
24 release authority. See 8 U.S.C. § 1103(a).  
25

26 20. Respondent Executive Office for Immigration Review is a  
27 component agency of the Department of Justice responsible for conducting  
28 removal and bond hearings of noncitizens. EOIR is comprised of a lower

1 adjudicatory body administered by immigration judges and an appellate body  
2 known as the Board of Immigration Appeal (BIA). Immigration judges issue bond  
3 redetermination hearing decisions, which are then subject to appeal to the BIA.  
4 EOIR is sued as an agency respondent because its policies and decisions are at  
5 issue in this action.  
6

7 21. Respondent Todd Lyons is the Acting Director of U.S. Immigration  
8 and Customs Enforcement (ICE) and is sued in his official capacity. ICE is  
9 responsible for the detention of Petitioners.  
10

11 22. Patrick Divver is the Immigration and Customs Enforcement Field  
12 Office Director for San Diego County, including the Imperial Regional detention  
13 facility and is sued in his official capacity.  
14

15 23. The Warden of Imperial Region Detention Facility is sued in his  
16 official capacity as the officer with immediate physical custody of Petitioner. The  
17 Warden is responsible for Petitioner's day-to-day detention but lacks authority to  
18 make custody or release determinations. He is named as a Respondent pursuant to  
19 the immediate custodian rule established in *Rumsfeld v. Padilla*, 542 U.S. 426  
20 (2004).  
21

### 22 LEGAL BACKGROUND

23 24. The Immigration and Nationality Act ("INA") establishes distinct  
24 detention regimes that apply at different procedural stages of the removal process.  
25 INA § 236(a), 8 U.S.C. § 1226(a), is the default detention authority for noncitizens  
26 apprehended in the interior of the United States and placed in removal proceedings  
27 under INA § 240. Section 236(a) expressly authorizes release on bond or  
28 conditional parole and vests Immigration Judges with custody-redetermination

1 jurisdiction. See 8 C.F.R. §§ 1003.19(a), 1236.1(d).

2 25. By contrast, INA § 236(c) mandates detention only for noncitizens  
3 charged with or convicted of specified criminal or terrorism-related offenses. INA  
4 § 235(b)(1) and (b)(2), 8 U.S.C. § 1225, govern detention at the inspection stage,  
5 including expedited removal and related border-processing procedures. Finally,  
6 INA § 241, 8 U.S.C. § 1231, governs detention after a final order of removal. None  
7 of those provisions applies here.  
8

9 26. Section 236(a) governs detention pending a decision on whether the  
10 alien is to be removed from the United States, i.e., during ongoing § 240  
11 proceedings. Its implementing regulations confirm that Immigration Judges retain  
12 authority to conduct bond hearings for noncitizens detained under this provision.  
13 See 8 C.F.R. §§ 1003.19(a), 1236.1(d).  
14

15 27. Section 235(b), by contrast, applies exclusively at ports of entry and  
16 during the inspection process. Its text and structure confirm that an “application for  
17 admission” is a discrete event occurring at the time of entry, not a perpetual legal  
18 status that attaches indefinitely to individuals who entered without inspection.  
19 *Torres v. Barr*, 976 F.3d 918, 932 (9th Cir. 2020) (en banc). See also *Jennings v.*  
20 *Rodriguez*, 583 U.S. 281 (2018) (describing the INA’s bifurcated detention scheme  
21 distinguishing inspection-stage detention at entry from detention of noncitizens  
22 found in the United States after entry).  
23

24 28. The regulatory history following the enactment of IIRIRA reinforces  
25 this distinction. In its 1997 rulemaking, the Department of Justice explained that  
26 noncitizens who entered without inspection but are later placed in § 240 removal  
27 proceedings are detained under § 236(a), not § 235. See *Inspection and Expedited*  
28

1 Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal  
2 Proceedings; Asylum Procedures, 62 Fed. Reg. 10,312, 10,323 (Mar. 6, 1997).

3 29. Recent congressional action further confirms that § 236(a) governs  
4 detention of noncitizens apprehended in the interior and placed in § 240  
5 proceedings. In 2024, Congress enacted the Laken Riley Act, which expanded  
6 mandatory detention under § 236(c) for certain noncitizens charged with specified  
7 offenses. Notably, Congress did not amend § 235(b)(2) to mandate detention of all  
8 noncitizens who entered without inspection, nor did it displace § 236(a) as the  
9 default detention authority. Congress's targeted amendments to § 236 presuppose  
10 its continued applicability and would be superfluous if § 235(b)(2) already  
11 governed detention of long-term interior residents.  
12

13  
14 30. In July 2025, DHS issued internal guidance directing ICE officers and  
15 government counsel to categorically deny bond redetermination hearings to all  
16 noncitizens who entered without inspection, regardless of length of residence or  
17 place of arrest. That guidance treated such individuals as perpetual "applicants for  
18 admission" subject to INA § 235(b)(2).  
19

20 31. In September 2025, the Board of Immigration Appeals adopted that  
21 policy as binding precedent in *Matter of Yajure-Hurtado*, 29 I&N Dec. 216 (BIA  
22 2025), instructing Immigration Judges that they lacked jurisdiction to conduct bond  
23 hearings in such cases.

24 32. That interpretation is not entitled to judicial deference. Under *Loper*  
25 *Bright Enterprises v. Raimondo*, 144 S. Ct. 2244 (2024), courts must  
26 independently interpret the INA and may not defer to agency constructions that  
27 conflict with statutory text, structure, or history.  
28

1           33. Courts in this Circuit—including multiple courts in this District—  
2 have rejected DHS’s categorical application of 8 U.S.C. § 1225(b)(2) to long-term  
3 interior residents and have granted habeas relief or ordered custody  
4 redetermination hearings under § 1226(a). See, e.g., *Arias Torres v. Bondi*, No. 25-  
5 cv-02457-BAS-MSB (S.D. Cal. Nov. 18, 2025); *Lazaro Maldonado Bautista et al.*  
6 *v. Ernesto Santacruz Jr. et al.*, No. 5:25-cv-01873 (C.D. Cal. 2025).

8           34. In *Bautista* the district court granted habeas relief through a temporary  
9 restraining order on July 28, 2025, requiring individualized bond hearings and  
10 resulting in the release of the named petitioners. The court then granted partial  
11 summary judgment on November 20, 2025, holding that DHS’s categorical  
12 application of 8 U.S.C. § 1225(b)(2) to long-term interior residents is unlawful  
13 under the INA and the Administrative Procedure Act. Five days later, on  
14 November 25, 2025, the court certified a Rule 23(b)(2) class seeking declaratory  
15 and injunctive relief. Proceedings to determine final classwide remedies are  
16 scheduled for January 2026.

18           35. Petitioner is a long-term California resident apprehended in the interior  
19 of the United States and placed in § 240 removal proceedings. Under the INA’s  
20 text, implementing regulations, historical application, and controlling Ninth Circuit  
21 authority, § 236(a) governs his detention and entitles him to a custody-  
22 redetermination hearing before an Immigration Judge.

24           36. The Immigration Judge nevertheless declined jurisdiction and denied  
25 any bond hearing solely by operation of *Matter of Yajure-Hurtado*. Because that  
26 binding agency rule forecloses any administrative remedy and eliminates the  
27 possibility of an individualized custody determination, habeas corpus and related  
28

1 declaratory relief are the only means of vindicating Petitioner's statutory and  
2 constitutional rights

3 **.FACTUAL AND PROCEDURAL BACKGROUND**

4  
5 37. Petitioner Alejandro Sandoval-Garcia is a 54-year-old native and  
6 citizen of Mexico. His most recent entry into the United States was without  
7 inspection on or about December 25, 2001. Since that time, he has resided  
8 continuously in the United States, including long-term residence in California.

9  
10 38. On October 6, 2017, Petitioner married his U.S.-citizen spouse,  
11 Carmen Julia Atencio. On December 13, 2017, she filed a Form I-130 Petition for  
12 Alien Relative on his behalf. USCIS approved the I-130 petition on March 14,  
13 2019, establishing Petitioner's eligibility to pursue lawful permanent resident  
14 status through consular processing.

15  
16 39. Following approval of the immigrant visa petition, Petitioner pursued a  
17 Form I-601A provisional unlawful-presence waiver, which remains pending before  
18 USCIS. During this period, Petitioner continued residing in the community and  
19 was not subject to any criminal charges or immigration detention.

20  
21 40. On October 22, 2025, Immigration and Customs Enforcement officers  
22 arrested Petitioner in the interior of the United States near a Home Depot location  
23 in California. ICE served Petitioner with a Notice to Appear, placing him in  
24 removal proceedings under INA § 240, and transferred him into DHS custody.

25  
26 41. Petitioner is currently detained at the Imperial Regional Detention  
27 Facility in Calexico, California. DHS has not charged him with any offense  
28 triggering mandatory detention under INA § 236(c), nor has it asserted that he is  
subject to post-order detention under INA § 241.

1           42. Petitioner intends to seek administrative closure or comparable  
2 procedural relief in removal proceedings so that USCIS may adjudicate his  
3 pending provisional unlawful-presence waiver and he may pursue lawful  
4 permanent residence through the statutory process Congress established. In  
5 addition, given the early stage of proceedings, Petitioner may develop the factual  
6 record to seek cancellation of removal.  
7

8           43. Following his detention, Petitioner sought a custody redetermination  
9 hearing pursuant to INA § 236(a). The Immigration Judge declined to conduct a  
10 bond hearing, concluding that she lacked jurisdiction based solely on the Board of  
11 Immigration Appeals' precedential decision in *Matter of Yajure-Hurtado*, which  
12 instructs immigration judges to treat noncitizens who entered without inspection as  
13 subject to detention under INA § 235(b)(2), regardless of length of time in the  
14 United States or location of apprehension.  
15

16           44. As a result of that ruling, Petitioner was denied any individualized  
17 custody determination, including consideration of flight risk, danger, family ties,  
18 length of residence, or pending avenues of lawful status. The Immigration Judge  
19 did not make any factual findings regarding Petitioner's suitability for release and  
20 did not exercise discretion under § 236(a).  
21

22           45. Because *Matter of Yajure-Hurtado* is binding on Immigration Judges  
23 and categorically forecloses bond jurisdiction, Petitioner has no meaningful  
24 administrative remedy through the immigration court system. Absent judicial  
25 intervention, he faces continued detention without bond solely by operation of a  
26 binding agency rule, notwithstanding Congress's detention framework and  
27 longstanding historical interpretation and application.  
28

1 46. Petitioner therefore brings this action seeking habeas corpus relief  
2 from unlawful detention, as well as declaratory and injunctive relief under the  
3 Administrative Procedure Act, to challenge the legality of DHS's categorical  
4 application of INA § 235(b)(2) to long-term interior residents placed in § 240  
5 proceedings.  
6

7 **CAUSES OF ACTION**

8 **COUNT I**

9 **Violation of 8 U.S.C. § 1226(a):**  
10 **Unlawful Continued Detention Despite Bond Grant**

11 47. Petitioner repeats, re-alleges, and incorporates by reference each and  
12 every allegation in the preceding paragraphs as if fully set forth herein.

13 48. Under 8 U.S.C. § 1226(a), noncitizens apprehended in the interior and  
14 placed in § 240 removal proceedings are detained, if at all, subject to  
15 discretionary bond redetermination by an immigration judge.

16 49. The statute expressly authorizes release on bond or conditional parole  
17 pending a decision on removal, and the implementing regulations vest Immigration  
18 Judges with jurisdiction to conduct bond hearings. See 8 C.F.R. §§ 1003.19(a),  
19 1236.1(d).  
20

21 50. Petitioner was apprehended in the interior of the United States, placed  
22 in § 240 removal proceedings, and is not charged with any offense triggering  
23 mandatory detention under § 1226(c). Nor is he subject to post-final-order  
24 detention under § 1231. Accordingly, § 1226(a) governs his custody.  
25

26 51. The congressional intent is reflected in § 236(a), which expressly  
27 authorizes custody redeterminations and release on bond pending a decision on  
28 whether the alien is to be removed from the United States.



1 Judges to redetermine custody for noncitizens apprehended in the interior and  
2 placed in § 240 proceedings. See 8 U.S.C. § 1226(a); 8 C.F.R. §§ 1003.19(a),  
3 1236.1(d). For decades, EOIR and DHS consistently applied § 236(a) to such  
4 individuals, affording bond hearings before an IJ, consistent with the statute’s text  
5 and EOIR’s 1997 rulemaking.  
6

7 58. In July 2025, however, ICE abruptly abandoned this settled practice.  
8 Through an internal memorandum, ICE instructed its trial attorneys to resist §  
9 236(a) bond hearings across the board for all who had entered without inspection,  
10 regardless of how long they had resided in the United States or where they were  
11 arrested. That directive, though aimed at DHS attorneys, had the practical effect of  
12 shifting the adjudicatory framework once EOIR began adopting the same  
13 categorical position.  
14

15 59. Two months later, in *Matter of Yajure Hurtado*, 29 I&N Dec. 216  
16 (BIA 2025), the Board of Immigration Appeals formally ratified that position,  
17 holding that all noncitizens who entered without inspection are detained under §  
18 235(b)(2) and categorically ineligible for bond. That decision stripped Immigration  
19 Judges of jurisdiction to conduct bond hearings, even where an IJ had already  
20 found release appropriate.  
21

22 60. This abrupt reversal of decades of practice was adopted without notice  
23 and comment, lacks reasoned explanation, and is contrary to the governing statute  
24 and regulations. The BIA’s *post hoc* rationale in *Yajure Hurtado* cannot cure those  
25 defects.  
26

27 61. Under *Loper Bright Enterprises v. Raimondo*, 144 S. Ct. 2244 (2024),  
28 this Court owes no Chevron deference to the agency’s construction of § 235(b)(2),

1 but must apply its own judgment to the statutory text. Properly construed, §  
2 235(b)(2) does not apply to long-term residents arrested in the interior and placed  
3 in § 240 proceedings.

4  
5 62. Accordingly, Respondents' categorical reclassification is unlawful,  
6 arbitrary, capricious, and not in accordance with law within the meaning of 5  
7 U.S.C. § 706(2).

8  
9 **COUNT III**  
10 **Violation of Procedural Due Process (Fifth Amendment)**

11 63. Petitioner repeats, re-alleges, and incorporates by reference each and  
12 every allegation in the preceding paragraphs as if fully set forth herein.

13 64. . The Fifth Amendment provides that no person shall be deprived of  
14 liberty without due process of law. U.S. Const. amend. V.

15 65. Freedom from imprisonment—from government custody, detention,  
16 or other forms of physical restraint—lies at the heart of the liberty that the Due  
17 Process Clause protects. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). Noncitizens  
18 in removal proceedings possess a substantial liberty interest in freedom from  
19 unnecessary civil detention.

20  
21 66. Petitioner is subject to pre-removal detention pending the outcome of  
22 removal proceedings under INA § 240, and is not charged with any offense  
23 triggering mandatory detention. Under the statutory framework Congress enacted,  
24 such detention is discretionary and must be accompanied by an opportunity for  
25 individualized custody review before a neutral adjudicator.

26  
27 67. Nevertheless, the Immigration Judge declined to conduct any custody  
28 redetermination hearing for Petitioner, concluding that she lacked jurisdiction

1 based solely on *Matter of Yajure-Hurtado*. As a result, Petitioner was denied any  
2 opportunity to present evidence or receive an individualized assessment of danger,  
3 flight risk, ability to pay, or alternatives to detention.  
4

5 68. By categorically foreclosing bond jurisdiction for a broad class of  
6 noncitizens, Respondents' policy deprives Petitioner of a meaningful opportunity  
7 to seek release from civil detention and converts discretionary pre-removal  
8 detention into mandatory detention without process.

9 69. This categorical denial of a bond hearing bears no reasonable  
10 relationship to the purposes of civil immigration detention and results in prolonged  
11 confinement based solely on legal classification rather than individualized  
12 findings. Such detention is fundamentally inconsistent with the procedural  
13 protections required by the Fifth Amendment.  
14

15 70. At a minimum, due process requires that individuals subject to  
16 discretionary civil immigration detention receive a bond hearing before a neutral  
17 adjudicator, with consideration of alternatives to detention and an opportunity to be  
18 heard. The complete denial of any such hearing violates basic principles of  
19 procedural fairness.  
20

21 71. Because Respondents' binding policy eliminates all individualized  
22 custody review and mandates detention by legal classification alone, Petitioner is  
23 deprived of the procedural safeguards required by the Due Process Clause and  
24 remains detained without any meaningful opportunity to seek release.  
25

26 **PRAYER FOR RELIEF**

27 Petitioner respectfully requests that this Court:  
28

1 A. Declare that INA § 236(a), not § 235(b)(2), governs Petitioner’s custody  
2 as a long-term resident arrested in the interior and placed in § 240 proceedings, and  
3 that Respondents’ contrary application of § 235(b)(2) is unlawful;  
4

5 B. Enjoin Respondents from enforcing any categorical policy or practice that  
6 denies Immigration Judges jurisdiction to conduct bond hearings under § 236(a)  
7 for noncitizens who entered without inspection but are placed in § 240  
8 proceedings;

9 C. Set aside, as unlawful under the Administrative Procedure Act,  
10 Respondents’ detention policy—including the July 2025 ICE guidance and its  
11 ratification in *Matter of Yajure-Hurtado*, 29 I&N Dec. 216 (BIA 2025)—as applied  
12 to Petitioner, and enjoin its enforcement to the extent it forecloses individualized  
13 custody determinations required by § 236(a);  
14

15 D. Issue a writ of habeas corpus directing Respondents to provide Petitioner  
16 with an immediate custody redetermination hearing under INA § 236(a) before a  
17 neutral adjudicator, or, in the alternative, to release Petitioner from custody  
18 pending removal proceedings if such a hearing is not promptly provided;  
19

20 E. Award reasonable attorneys’ fees and costs under the Equal Access to  
21 Justice Act, 28 U.S.C. § 2412, or any other applicable authority;

22 F. Grant such other and further relief as this Court deems just and proper.

23 Dated: December 22,, 2025  
24

25 Respectfully submitted,

26  
27 s/Ray Estolano -  
28 Attorney for Petitioner,  
Alejandro Sandoval-Garcia

**EXHIBIT LIST**

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- A . Notice to Appear
- B . Custody Redetermination  
Motion with supporting exhibits
- C . IJ Order Declining Bond Jurisdiction

### **CERTIFICATE OF SERVICE**

I hereby certify that on December 23, 2025, I electronically filed the foregoing with the Clerk of the Court for the United States District Court, Southern District of California using the CM/ECF system.

Participants in the case who are registered CM/ECF users will be served by the appellate CM/ECF system.

There are no known participants who are not registered CM/ECF participants.

Dated: December 23 2025

s/Ray Estolano

1 Ray Estolano, Esq. (SBN 204919)  
2 545 H Street, Suite A  
3 Chula Vista, California 91910  
4 619-476-1291

5 Attorney for Petitioner,  
6 Alejandro Sandoval-Garcia

7  
8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
10

11 ALEJANDRO SANDOVAL-GARCIA, ) Case No. '25CV3738 LL MSB  
12 Petitioner, )

13 v. )

14 PAM BONDI, Attorney General of the ) EXHIBITS FOR  
15 United States, in her official capacity; ) PETITION FOR WRIT OF  
16 KRISTI NOEM, Secretary of the U.S. ) HABEAS CORPUS AND  
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20 LYONS, Acting Director of U.S. ) MOTION FOR T.R.O.  
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22 in his official capacity; PATRICK )  
23 DIVVER, ICE Field Office Director for )  
24 San Diego County, in his official capacity; )  
25 WARDEN OF IMPERIAL REGION )  
26 DETENTION FACILITY. )

27 Respondent. )  
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**TABLE OF EXHIBITS**

A .	Notice to Appear	2-5
B .	Custody Redetermination (Bond) Motion with supporting exhibits	7-37
C .	IJ Order Declining Bond Jurisdiction	39-40

**EXHIBIT A**

**EXHIBIT A**

DEPARTMENT OF HOMELAND SECURITY  
NOTICE TO APPEAR

DOB: [REDACTED]  
Event No: [REDACTED]

In removal proceedings under section 240 of the Immigration and Nationality Act

Subject ID: [REDACTED] FINS: [REDACTED] File No: [REDACTED]

In the Matter of:

Respondent: ALEXANDRO SANDOVAL-GARCIA currently residing at

See Continuation Page Made a Part Hereof  
(Number, street, city, state and ZIP code) (Area code and phone number)

- You are an arriving alien.
- You are an alien present in the United States who has not been admitted or paroled.
- You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of Mexico and a citizen of Mexico;
3. You entered the United States at or near THERON, on or about unknown date;
4. You were not lawfully admitted or paroled after inspection by an Immigration Officer OR at that time you arrived at a time or place other than as designated by the Attorney General.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, is that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to:  8CFR 208.30  8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an Immigration Judge of the United States Department of Justice at:

Room - Imperial, 2459 La Grancherie RD Imperial, CA 92251.  
(Complete Address of Immigration Court, including Room Number, if any)

On November 3, 2025 at 8:30 am to show why you should not be removed from the United States based on the

charge(s) set forth above.

C 07247 CORONADO - SDOO  
(Signature and Title of Issuing Officer)

Date: October 18, 2025 300 N LOS ANGELES STREET LOS ANGELES CA 90012  
(City and State)

EOIR - 1 of 4

**Notice to Respondent**

**Warning:** Any statement you make may be used against you in removal proceedings.

**Alien Registration:** This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings. You are required to carry it with you at all times.

**Representation:** If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.18. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

**Conduct of the hearing:** At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross-examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the Immigration Judge. You will be advised by the Immigration Judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the Immigration Judge.

**One-Year Asylum Application Deadline:** If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal, The Form I-589, Instructions, and information on where to file the Form can be found [at https://www.dhs.gov/immigration-forms](https://www.dhs.gov/immigration-forms). Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

**Failure to appear:** You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later dictated by the Immigration Court, a removal order may be made by the Immigration Judge in your absence, and you may be arrested and detained by the DHS.

**Mandatory Duty to Surrender for Removal:** If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the Internal Security Order for Deportation, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

**U.S. Citizenship Claims:** If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-5903.

**Sensitive locations:** To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1228(a)(1), such action complied with 8 U.S.C. § 1567.

**Request for Prompt Hearing**

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 70-day period prior to appearing before an Immigration Judge and request my hearing be scheduled.

Before:

\_\_\_\_\_  
(Signature of Respondent)

Date: \_\_\_\_\_

\_\_\_\_\_  
(Signature and Title of Immigration Officer)

**Certificate of Service**

This Notice To Appear was served on the respondent by me on October 21, 2025, in the following manner and in compliance with section 239(a)(1) of the Act.

- In person     by certified mail, returned receipt # \_\_\_\_\_ requested     By regular mail
- Attached is a credible fear worksheet.
- Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the SPANISH language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

\_\_\_\_\_  
(Signature of Respondent if Personally Served)

4430 ESPINOZA - Deportation Officer  
\_\_\_\_\_  
(Signature and Title of Officer)

EOIR - 2 of 4

**Privacy Act Statement**

**Authority:**

The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1228, 1228a, and 1350), and the regulations issued pursuant thereto.

**Purpose:**

You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), includes removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date this NTA, that information will be used to confirm that you received it and for recordkeeping.

**Routine Uses:**

For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CPB-001 Alien File, Index, and National File Tracking System of Records; DHS/USCIS-007 Benefit Information System; DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER); and DHS/ICE-003 General Counsel Electronic Management System (GEMS); and DHS/CPB-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at <https://www.dhs.gov/privacy/records-notices>. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at <https://www.justice.gov/privacy/records-notices>. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.


For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

**Disclosure:**

Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

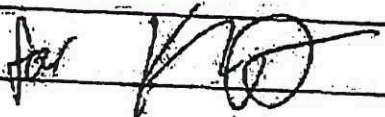
U.S. Department of Homeland Security

Continuation Page for Form I-862

Alien's Name SANDOVAL-GARCIA, ALEJANDRO	File Number 	Date 10/18/2025
--------------------------------------------	---------------------------------------------------------------------------------------------------	--------------------

CURRENTLY RESIDING AT:

c/o DHS/ICE, ITC/IRDF 1572 Gateway Road, Calexico, CALIFORNIA 92231

Signature C 07247 COVARRUBIAS 	Title SDDO
----------------------------------------------------------------------------------------------------------------------	---------------

EOIR - 4 of 4

**EXHIBIT B**

**EXHIBIT B**

RAY ESTOLANO, Esq. (SBN 204919)  
545 H STREET, SUITE A  
CHULA VISTA, CALIFORNIA 91910  
TELEPHONE: 619-476-1291

Attorney for Respondent

**DETAINED**

UNITED STATES DEPARTMENT OF JUSTICE EXECUTIVE  
OFFICE FOR IMMIGRATION REVIEW  
IMPERIAL, CALIFORNIA IMMIGRATION COURT

Sandoval-Garcia, Alejandro )



Respondent, )

IN REMOVAL PROCEEDINGS )

Hon. Immigration Judge: Meghan E. Heesch

Next Hearing: 12/15/2025 9:00AM

**RESPONDENT'S MOTION FOR BOND HEARING AND WAIVER OF TEN-DAY  
NOTICE**

RAY ESTOLANO, Esq. (SBN 204919)  
545 H STREET, SUITE A  
CHULA VISTA, CALIFORNIA 91910  
TELEPHONE: 619-476-1291

DETAINED

Attorney for Respondent

UNITED STATES DEPARTMENT OF JUSTICE EXECUTIVE  
OFFICE FOR IMMIGRATION REVIEW  
IMPERIAL, CALIFORNIA IMMIGRATION COURT

Sandoval-Garcia, Alejandro )



Respondent, )

IN REMOVAL PROCEEDINGS )

**RESPONDENT'S MOTION FOR BOND HEARING  
AND WAIVER OF TEN-DAY NOTICE**

Respondent, Alejandro Sandoval-Garcia, by and through undersigned counsel, Ray. A. Estolano, hereby moves the Immigration Court to grant his request for an immigration bond and waiver of ten-day notice requirement. Respondent maintains that his request to grant a bond is proper for the following reasons:

Respondent is a 54-year-old national of Mexico (Exh. A). His last entry into the United States was without inspection on or about December 25, 2001. On October 6, 2017, Respondent married to his U.S. Citizen wife, Carmen Julia Atencio (Exh. B and C). On December 13, 2025 Respondent's wife filed a I-130 Petition for Alien Relative on behalf of Respondent, Alejandro Sandoval Garcia, which it was approved on March 14, 2019 (Exh. D).

Since then, the immigrant visa petition has been pending at the National Visa Center waiting for the resolution of Respondent's I-601A provisional waiver for his unlawful presence. Until October 22, 2025, when Respondent was detained by ICE close to a Home Depot location and placed in removal proceedings.

I. Respondent Is Not Subject to Mandatory Detention.

In a recent decision, (*Lazaro Maldonado Bautista v. Ernesto Santacruz Jr.*, 5:25-cv-01873 the U.S. District Court for the Central District of California certified a nationwide class of noncitizens who must be given access to bond hearings under 8 U.S.C. § 1226(a)

1. Noncitizens who entered the United States without inspection
2. Were not apprehended at the border or upon arrival, and
3. Are not subject to mandatory detention under:
  - § 1226(c) (criminal mandatory detention)
  - § 1225(b)(1) (expedited removal)
  - § 1231 (post-final order detention)

Respondent meets the statutory requirement be given access to bond hearings under 8 U.S.C. § 1226(a) since he is not subject to mandatory custody under INA § 236(c)

II. Respondent Merits a Reasonable Bond. An Immigration Judge may grant bond under INA § 236(a) if the Respondent demonstrates he is neither a danger to the community nor a flight risk. *Matter of Guerra*, 24 I&N Dec. 37 (BIA 2006). Respondent submits that he is neither a danger nor a flight risk, such that he merits release on conditional parole or a reasonable bond.

A. Respondent Is Not a Danger.

The Respondent is not a danger to the community. He has no convictions and one arrest.

B. Respondent Is Not a Flight Risk.


Respondent is a person of good moral character with strong community ties and a pathway to relief. He has been residing and working continuously in the United States, residing Los Angeles County since his entry in December 2001, more than 24 years ago. He lives with his wife. Who is also sponsoring his bond, showing enough current income to support him (Exh. E and F). Respondent also has a diagnosis of diabetes that requires regular monitoring, a strict diet, and medication, which he has been unable to follow with since being detained, risking his health (Exh. G).

With strong community ties and a pathway to relief, Respondent is not a flight risk. Respondent through counsel waives ten-day requirement notice and respectfully requests a bond hearing as soon as reasonably possible. The Department of Homeland Security will not be prejudiced, and the Trial Attorney will have ample time to prepare for the above-mentioned case. Respondent is currently detained but has not issued a bond. There will be no hardship or restraints on this court and Judicial Economy will not be altered.


WHEREFORE, Respondent respectfully moves the Court to grant his request for release on a minimum immigration bond.

Respectfully submitted,

Dated: 12/03/2025

  
\_\_\_\_\_  
Ray A. Estolano, Esq.  
Attorney for Respondent

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

<p>IN THE MATTER OF</p> <p>Alejandro Sandoval-Garcia,</p> <p>(RESPONDENT)</p>	<p>IN REMOVAL PROCEEDINGS</p> 
-------------------------------------------------------------------------------	------------------------------------------------------------------------------------------------------------------

ORDER OF THE IMMIGRATION JUDGE

Upon consideration of Respondent's Motion for Bond Hearing and Waiver of Ten day Notice, 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

Date: \_\_\_\_\_

\_\_\_\_\_  
Hon. Megan E. Heesch

Certificate of Service

This document was served by: [ ] Mail [ ] Personal Service


To: [ ] Alien [ ] Alien c/o Custodial Officer [ ] Alien's Attorney [ ]

DHS Date: \_\_\_\_\_ By: Court Staff \_\_\_\_\_

Ray Estolano, SBN 204919  
**Estolano Law**  
545 H St Suite A  
Chula Vista, CA 91910  
Telephone: (619) 476-1291  
Facsimile: 619-872-0375  
Email: [estolanolaw@gmail.com](mailto:estolanolaw@gmail.com)  
Attorney for Respondent

**DETAINED**

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

<b>IN THE MATTER OF</b>  <b>Sandoval-Garcia, Alejandro</b>  <b>In Removal Proceedings</b>	<b>File:</b> 
-------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------

**MOTION FOR BOND HEARING AND WAIVER OF TEN-DAY NOTICE  
EXHIBITS LIST**

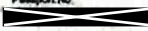
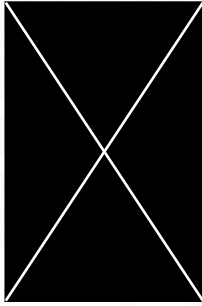





<b>EXHIBIT</b>		<b>#</b>
A	Respondent's Mexican Passport	3
B	Respondent's Marriage Certificate	5
C	Respondent's Wife and Bond Sponsor US Passport and California Driver License	7-8
D	Respondent's I-130 Receipt and Approval Notice	10-11
E	Respondent's wife and Bond Sponsor 2024 Income Tax Return	13-14
F	Respondent's wife and Bond Sponsor Recent Bank Statement	16
G	Respondent's Medical Record	18
H	Good Moral Character and Support Letters	20-25

# EXHIBIT "A"

**ESTADOS UNIDOS MEXICANOS**

PASAPORTE  
PASSPORT

Para uso exclusivo de la Secretaría de Relaciones Exteriores para la expedición de pasaportes a personas menores de edad o personas con discapacidad que no estén en posibilidad de manifestar su voluntad.  
For the exclusive use of the Ministry of Foreign Affairs for the issuance of passports to minors or people with disabilities who are unable to express their will.

	Tipo/ Type <b>P</b>	Clave del país de expedición/ Issuing state code <b>MEX</b>	
			Pasaporte No./ Passport No. 
	Apellido/ Surname <b>SANDOVAL GARCIA</b>		
	Nombre/ Given names <b>ALEJANDRO RUFINO</b>		
	Nacionalidad/ Nationality <b>MEXICANA</b>		Fecha de nacimiento/ Date of birth 
	CURP/ Personal No. 		
	Lugar de nacimiento/ Place of birth <b>M TLACHICHUCA, PUE., MEX</b>		
	Fecha de expedición/ Date of issue <b>21 01 2022</b>	Fecha de caducidad/ Expiry date <b>21 01 2032</b>	Observaciones/ Remarks  <b>SERVIDE CÉSPETE CÁNDRAAS.</b> SANTA ANA
	Firma del Titular/ Holder's Signature 	Autoridad/ Authority 	

# EXHIBIT "B"

STATE OF CALIFORNIA

CERTIFICATE OF VITAL RECORD

COUNTY OF LOS ANGELES REGISTRAR-RECORDER/COUNTY CLERK

CONFIDENTIAL

5 2017 19 017767

LICENSE AND CERTIFICATE OF MARRIAGE MUST BE LEGIBLE - MAKE NO ERASURES, WHITEOUTS, OR OTHER ALTERATIONS USE DARK INK ONLY

STATE FILE NUMBER		LOCAL REGISTRATION NUMBER	
FIRST PERSON DATA	1A. FIRST NAME CARMEN	1B. MIDDLE JULIA	1C. CURRENT LAST ATENCIO
	2. DATE OF BIRTH (MM/DD/CCYY)	3. STATE/COUNTRY OF BIRTH	4. PREV. MARRIAGES (RDP) 1
	5. ADDRESS	6. CITY	7. STATE/COUNTRY CA
	8. ZIP CODE	9. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY) PER	10. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY) PER
SECOND PERSON DATA	11A. FIRST NAME ALEJANDRO	11B. MIDDLE RUFINO	11C. CURRENT LAST SANDOVAL GARCIA
	12. DATE OF BIRTH (MM/DD/CCYY)	13. STATE/COUNTRY OF BIRTH MEX	14. PREV. MARRIAGES (RDP) 0
	15. ADDRESS	16. CITY	17. STATE/COUNTRY CA
	18. ZIP CODE	19. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY) MEX	20. STATE OF BIRTH (IF OUTSIDE U.S. ENTER COUNTRY) MEX
AFFIDAVIT			
WE, THE UNDERSIGNED, CURRENTLY LIVING TOGETHER AS SPOUSES, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA THAT WE ARE UNMARRIED AND THAT THE FOREGOING INFORMATION IS TRUE AND CORRECT TO THE BEST OF OUR KNOWLEDGE AND BELIEF. WE FURTHER DECLARE THAT NO LEGAL OBJECTION TO THE MARRIAGE, NOR TO THE ISSUANCE OF A LICENSE, IS KNOWN TO US. WE ACKNOWLEDGE RECEIPT OF THE INFORMATION REQUIRED BY FAMILY CODE SECTION 301 AND HEREBY APPLY FOR AN AFFIDAVIT OF MARRIAGE AND CERTIFICATE OF MARRIAGE.			
21. SIGNATURE OF PERSON LISTED IN FIELDS 11A-11D			
22. SIGNATURE OF PERSON LISTED IN FIELDS 11A-11D			
LICENSE TO MARRY			
I, THE UNDERSIGNED, DO HEREBY CERTIFY THAT THE ABOVE-NAMED PARTIES TO BE MARRIED HAVE PERSONALLY APPEARED BEFORE ME AND PROVED TO ME ON THE BASIS OF TESTIMONY FURNISHED TO BE THE PERSONS CLAIMED, OR THAT THE PERSON PERFORMING THE CEREMONY HAS PERSONALLY APPEARED BEFORE ME AND PRESENTED AN AFFIDAVIT SIGNED BY THE PARTIES TO BE MARRIED DECLARING THAT ONE OR BOTH OF THE PARTIES ARE PHYSICALLY UNABLE TO APPEAR AND EXPLAINING THE REASONS THEREFOR IN ACCORDANCE WITH FAMILY CODE SECTION 302. THE PARTIES HAVE FURTHER DECLARED THAT THEY MEET ALL OF THE REQUIREMENTS OF THE LAW, AND HAVING PAID THE FEES PRESCRIBED BY LAW, AUTHORIZATION AND LICENSE IS HEREBY GIVEN TO ANY PERSON DULY AUTHORIZED TO PERFORM A MARRIAGE CEREMONY WITHIN THE STATE OF CALIFORNIA TO SOLEMPNIZE THE MARRIAGE OF THE ABOVE-NAMED PERSONS PURSUANT TO FAMILY CODE SECTION 301. NOTE: THE MARRIAGE CEREMONY MUST TAKE PLACE IN THE STATE OF CALIFORNIA.			
23A. ISSUE DATE (MM/DD/CCYY)	23B. EXPIRES AFTER (MM/DD/CCYY)	23C. NAME OF COUNTY CLERK DEAN C. LOGAN	23D. SIGNATURE OF COUNTY CLERK
23A. 09/29/2017	23B. 12/28/2017	23C. LOS ANGELES	23D. [Signature]
23E. MARRIAGE LICENSE NUMBER		23F. COUNTY OF ISSUE	23G. RETURN COMPLETED MARRIAGE LICENSE TO INCLUDE ADDRESS
[Redacted]		LOS ANGELES	12400 Imperial Highway, Norwalk, CA 90650
A NOTARY PUBLIC OR OTHER OFFICER COMPLETING THIS CERTIFICATE VERIFIES ONLY THE IDENTITY OF THE INDIVIDUAL WHO SIGNED THE DOCUMENT TO WHICH THIS CERTIFICATE IS ATTACHED, AND NOT THE TRUTHFULNESS, ACCURACY, OR VALIDITY OF THAT DOCUMENT.			
25A. STATE OF CALIFORNIA, COUNTY OF:		25B. AFTER NOTARY SEAL	
25A. LOS ANGELES		[Redacted]	
26. SIGNATURE OF PERSON LISTED IN FIELDS 11A-11D			
26. [Redacted]			
I, THE UNDERSIGNED, DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF CALIFORNIA, THAT THE ABOVE-NAMED PARTIES WERE JOINED BY ME IN MARRIAGE IN ACCORDANCE WITH THE LAWS OF THE STATE OF CALIFORNIA. NOTE: THE MARRIAGE CEREMONY MUST TAKE PLACE IN THE STATE OF CALIFORNIA.			
27A. DATE OF MARRIAGE (MM/DD/CCYY)		27B. CITY OF MARRIAGE	27C. COUNTY OF MARRIAGE
10/06/2017		LOS ANGELES	LOS ANGELES
28A. SIGNATURE OF PERSON SOLEMPNIZING MARRIAGE		28B. RELIGIOUS OR DENOMINATION (IF CLERGY)	
[Signature]			
29A. NAME OF PERSON SOLEMPNIZING MARRIAGE (TYPE OR PRINT CLEARLY)		29B. OFFICIAL TITLE	
DORIS Y. MOBI		DEPUTY COMMISSIONER	
30. ADDRESS, CITY, STATE/COUNTRY, AND ZIP CODE			
11701 S. LA CIENEGA BLVD. LOS ANGELES, CA. 90045			
NEW MIDDLE AND LAST NAME OF PERSON LISTED IN 1A-10 (IF ANY) FOR USE UPON SOLEMPNIZATION OF THE MARRIAGE (SEE REVERSIS FOR INFORMATION)			
31A. FIRST - MUST BE SAME AS 1A	31B. MIDDLE	31C. LAST	
CARMEN	JULIA	ATENCIO	
31A. FIRST - MUST BE SAME AS 12A	31B. MIDDLE	31C. LAST	
31A. NAME OF COUNTY CLERK		31B. SIGNATURE OF CLERK OR DEPUTY CLERK	31C. DATE ACCEPTED FOR REGISTRATION
DEAN C. LOGAN		[Signature]	NOV 02 2017

CALIFORNIA DEPARTMENT OF PUBLIC HEALTH - VITAL RECORDS

VS-173 (01/01/2015)

CALOSANGE

This is to certify that this document is a true copy of the official record filed with the Registrar-Recorder/County Clerk.

Dean C Logan  
DEAN C. LOGAN  
Registrar-Recorder/County Clerk

This copy is not valid unless prepared on an engraved border displaying the seal and signature of the Registrar-Recorder/County Clerk.

NOV 07 2017

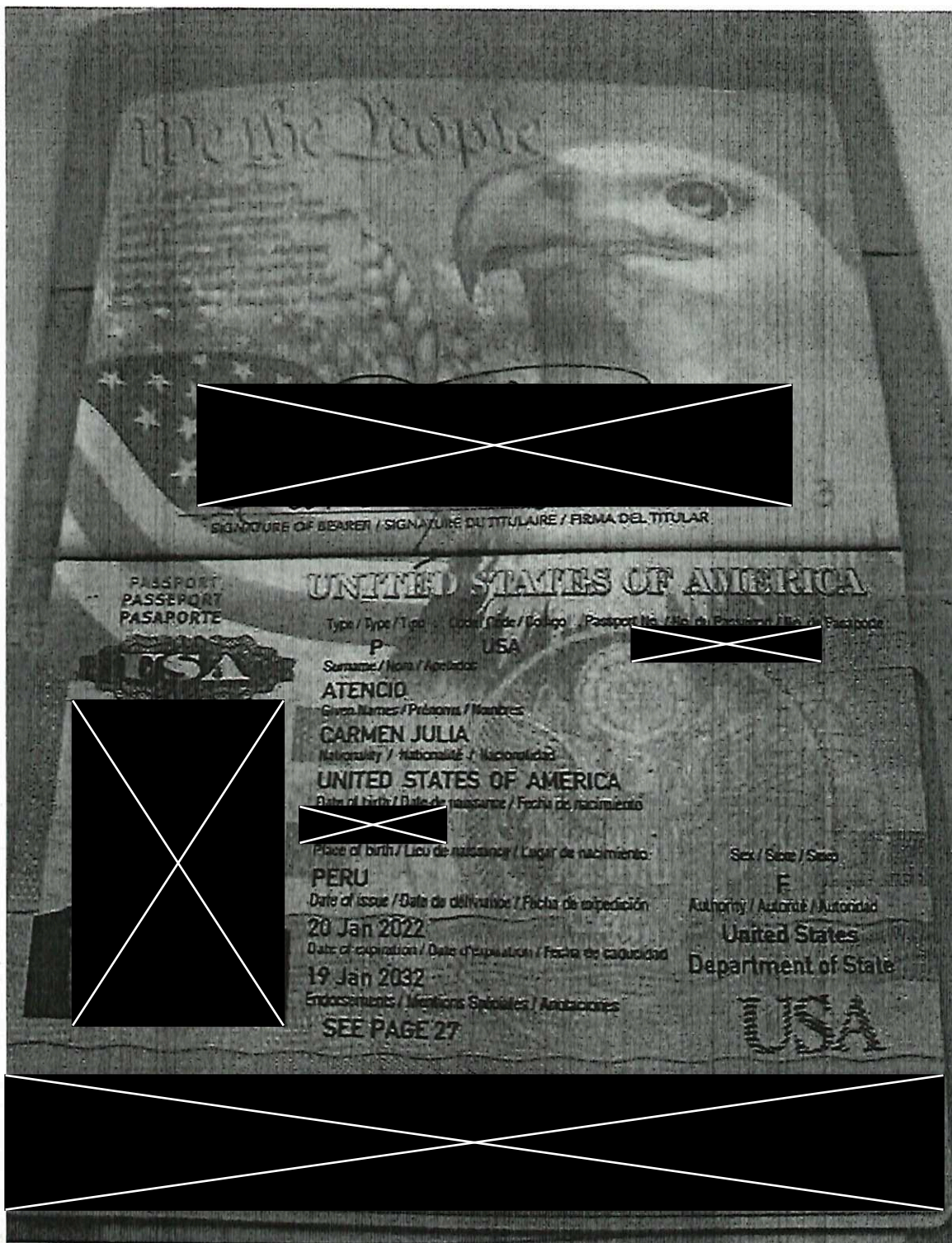


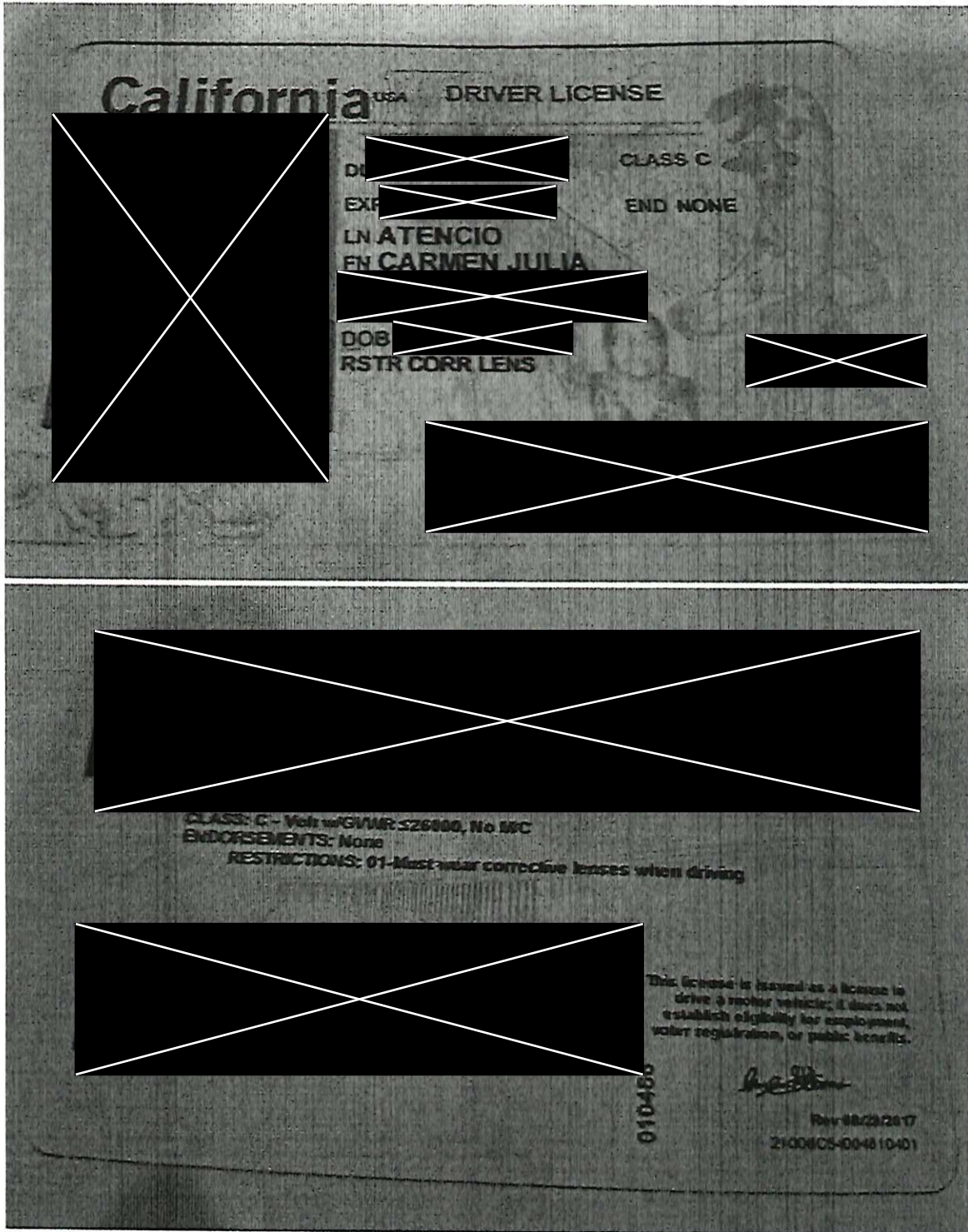
1000002054322

ANY ALTERATION OR ERASURE VOIDS THIS CERTIFICATE



# EXHIBIT "C"





# EXHIBIT "D"

**THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.**

NOTICE TYPE <b>Receipt</b>		NOTICE DATE <b>December 17, 2017</b>
CASE TYPE <b>I-130, Petition for Alien Relative</b>		USCIS ALIEN NUMBER [REDACTED]
RECEIPT NUMBER [REDACTED]	RECEIVED DATE <b>December 13, 2017</b>	PAGE <b>1 of 1</b>
PRIORITY DATE <b>December 13, 2017</b>	PREFERENCE CLASSIFICATION <b>201 B INA SPOUSE OF USC</b>	DATE OF BIRTH <b>January 04, 1966</b>

**CARMEN J. ATENCIO**  
 [REDACTED]



**PAYMENT INFORMATION:**

Application/Petition Fee: \$535.00  
 Biometrics Fee: \$0.00  
 Total Amount Received: \$535.00  
 Total Balance Due: \$0.00

**APPLICANT/PETITIONER NAME AND MAILING ADDRESS**

The I-130, Petition for Alien Relative has been received by our office for the following beneficiaries and is in process:

Name	Date of Birth	Country of Birth	Class (If Applicable)
SANDOVAL GARCIA, ALEJANDRO	[REDACTED] 1971	MEXICO	

Please verify your personal information listed above and immediately notify the USCIS National Customer Service Center at the phone number listed below if there are any changes.

Please note that if a priority date is printed on this notice, the priority does not reflect earlier retained priority dates.

A valid G-28 was NOT received with your case. If you wish to be represented, please contact your attorney or accredited representative to submit a G-28 to the USCIS location listed at the bottom of this notice. For more information on filing G-28, please visit <http://www.uscis.gov/forms/filing-your-form-g-28>.

If you have questions about possible immigration benefits and services, filing information, or USCIS forms, please call the USCIS National Customer Service Center (NCSC) at 1-800-375-5283. If you are hearing impaired, please call the NCSC TDD at 1-800-767-1833. Please also refer to the USCIS website: [www.uscis.gov](http://www.uscis.gov).

If you have any questions or comments regarding this notice or the status of your case, please contact our customer service number.

You will be notified separately about any other case you may have filed.

**USCIS Office Address:**  
 USCIS  
 Texas Service Center  
 P.O. Box 851488  
 Mesquite, TX 75185-1488

**USCIS Customer Service Number:**  
 (800)375-5283  
 APPLICANT COPY



**THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.**

Receipt Number <del>XXXXXXXXXX</del>		Case Type I130 - PETITION FOR ALIEN RELATIVE
Received Date 12/13/2017	Priortly Date 12/13/2017	Petitioner <del>XXXXXXXXXX</del> ATENCIO, CARMEN JULIA
Notice Date 03/14/2019	Page 1 of 1	Beneficiary SANDOVAL GARCIA, ALEJANDRO RUFINO

CARMEN JULIA ATENCIO  
 c/o JUAN MORALES REYES  
 ATTORNEY JUAN MORALES REYES  
 13786 S HAWTHORNE BLVD  
 HAWTHORNE CA 90250

Notice Type: Approval Notice  
 Section: Husband or wife of U.S. Citizen,  
 201(b) INA

We have mailed an official notice about this case (and any relevant documentation) according to the mailing preferences you chose on Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative. This is a courtesy copy, not the official notice.

**What the Official Notice Said**

The above petition has been approved. As the petitioner requests, we have sent the petition to the U.S. Department of State National Visa Center (NVC), 32 Rochester Avenue, Portsmouth, NH 03801-2909. The NVC processes all approved immigrant visa petitions that need consular action. It also determines which consular post is the appropriate consulate to complete visa processing. The NVC will then forward the approved petition to that consulate.

The NVC will contact the beneficiary of this petition with further information about immigrant visa processing steps.

You should allow a minimum of 30 days for U.S. Department of State processing before contacting the NVC. If you have not received any correspondence from the NVC within 30 days, you may contact the NVC by e-mail at [NVCINQUIRY@state.gov](mailto:NVCINQUIRY@state.gov). You will need to enter the USCIS receipt number from this approval notice in the subject line. In order to receive information about your petition, you will need to include in the body of the e-mail your name and date of birth, and the Applicant's (beneficiary's) name and date of birth.

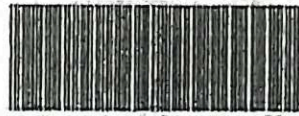
**THIS FORM IS NOT A VISA AND MAY NOT BE USED IN PLACE OF A VISA.**

The approval of this visa petition does not in itself grant any immigration status and does not guarantee that the alien beneficiary will subsequently be found to be eligible for a visa, for admission to the United States, or for an extension, change, or adjustment of status.

**NOTICE:** Although this application or petition has been approved, USCIS and the U.S. Department of Homeland Security reserve the right to verify this information before and/or after making a decision on your case so we can ensure that you have complied with applicable laws, rules, regulations, and other legal authorities. We may review public information and records, contact others by mail, the internet or phone, conduct site inspections of businesses and residences, or use other methods of verification. We will use the information obtained to determine whether you are eligible for the benefit you seek. If we find any derogatory information, we will follow the law in determining whether to provide you (and the legal representative listed on your Form G-28, if you submitted one) an opportunity to address that information before we make a formal decision on your case or start proceedings.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

Texas Service Center  
 U. S. CITIZENSHIP & IMMIGRATION SVC  
 P.O. Box 851488 - DEPT A  
 Mesquite TX 75185-1488  
 USCIS Contact Center: [www.uscis.gov/contactcenter](http://www.uscis.gov/contactcenter)



# EXHIBIT "H"

December, 2 2025

Executive Office for Immigration Review

Office of the Immigration Judge

San Diego, California 92154

Re: Alejandro Rufino Sandoval Garcia

Honorable Judge:

My name is Carmen Julia Atencio, a United States citizen by naturalization. I have personally known Alejandro Rufino Sandoval Garcia for 11 years as my spouse.

Throughout my relationship with Alejandro Rufino Sandoval Garcia, I have experienced a responsible and thoughtful individual who consistently strives to be a model member of the community. In addition, Alejandro Rufino Sandoval Garcia is a diligent worker, a devoted family person, and an individual of strong moral character and judgment.

Alejandro has special bond with our older neighbors because most of them lives by themselves and he saw how vulnerable we're. He offered to carry bags like the groceries, or help as a handyman when the refrigerator was making ice to Margaret. For Alejandro is very important to say hello even do his English speaking is limited.

In January, 4 2026, I am turning sixty years old, and we made a promise to ourselves that we will be together forever. I had a knee surgery in 2018 if I recalled right. Alejandro made a bed in other for me to sleep on the first floor of our two floor condo because I was not allowed to put weight on my left leg. We had never been away no more than two or three weeks. I feel lost and fragile, it is very difficult for me to sleep more than 5 hours a day. I am not young any more since October 17, 2025 I am suffering from body ache. As a psychology student, the levels of cortisol or the stress hormones are extremely high. I am afraid that I could suffer a stroke or a heart attack, if he remains in immigration detention.

I am thus confident in my belief that, moving forward, Alejandro Rufino Sandoval Garcia will continue to work toward the betterment of our community and seek to rectify any mistakes we may have made in the past. It is my sincere hope that the court will take this letter into consideration in its decision making.

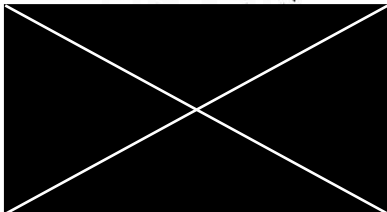
I declare under penalty that the foregoing statement is true and correct to the best of my own personal knowledge.

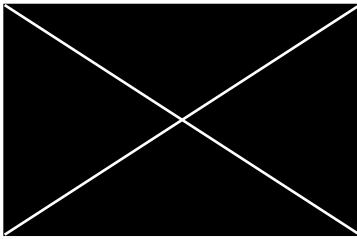
Please do not hesitate to contact me if you should require any further information.

Sincerely,

A black rectangular box with a white 'X' drawn across it, used to redact the signature of the sender.

Carmen Julia Atencio

A black rectangular box with a white 'X' drawn across it, used to redact contact information.



**Subject: Recommendation in support of Alejandro**

**Dear Sir/Madam:**

**This letter is written to recommend Alejandro Rufino Sandoval Garcia, whom the author has known for over 6 years as my Step Father. The author is a U.S. Citizen and their occupation is Lincoln Electric Field Technician, Air National Guardsman and a US Marine Vet.**

**The author has witnessed Alejandro's exceptional moral character. He has consistently demonstrated being an honest and hard working man. He has provided for my mother even before they were married and assists in the community when he can given the current social climate. He is an added benefit to my mother's and my own life. He helps me improve my Spanish and I help him with his English when I go home to visit my mother. After purchasing my property.**

**Alejandro Rufino Sandoval Garcia immediately offered himself to assist me in building a foundation and other preliminary work to help me build my home. Without him I will be a man short to build my home.**

**Furthermore, if Alejandro Rufino Sandoval Garcia were deported, the community would lose someone who has contributed so positively. He is a force for good, a role model, and someone who genuinely cares about the well-being of others.**

**He has given me a lot of knowledge when it comes to the work I am able to do myself on my land and without him I would have to rely on others who may not have my best interest in mind but he just wants to see me thrive. Even as his Adult Stepson and our language barrier he still treats me as a son and like I mentioned before he does mentor me like a father would. For these reasons, it is respectfully requested that the situation of Alejandro Rufino Sandoval Garcia is considered with the utmost compassion and fairness. He deserves the opportunity to remain in this country and continue building a productive and meaningful life here, with their family and in their community.**

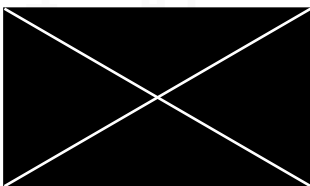
**The author declares that all the information provided is true and correct that the deportation of Alejandro Rufino Sandoval Garcia would have a devastating impact on both him and their loved**

ones. He is the primary caregiver of their family, which includes my mother and if I were to need assistance in whatever way he could provide he would be there for me in a heart beat. The immigration status of their spouse, who is a U.S. citizen, and adult son is also a U.S. citizen. Their absence would not only cause tremendous emotional pain due to family separation, but it would also create extreme economic hardship for my mother. She has received many on the job injuries in service to this nation as a US postal carrier and Alejandro's presence is a huge help when it comes to getting around the house carrying cumbersome items up and down the stairs of their condo. It would also put a financial strain on my mother since she already works 2 jobs and goes to school where his income as a construction worker goes a long way to pay their bills.

For these reasons, it is respectfully requested that the situation of Alejandro Rufino Sandoval Garcia is considered with the utmost compassion and fairness. He deserves the opportunity to remain in this country and continue building a productive and meaningful life here, with their family and in their community.

The author declares that all the information provided is true and correct to the best of their knowledge.

Sincerely, Ezra Tatanka Atencio  
Semper Fi



November 5, 2025

**Subject: Recommendation in support of Alejandro Rufino Sandoval Garcia**

Dear Sir/Madam:

This letter is written to recommend Alejandro Rufino Sandoval Garcia, whom I have known for nine years as my neighbor. I am a U.S. Citizen, and a retired manager of an import department.

I write this letter with deep gratitude and urgency on behalf of Alejandro, a man whose extraordinary character has profoundly impacted me and the lives of many in our El Segundo community.

For the past several years, Alejandro has lived across the street from me and has consistently shown himself to be one of the most honest, hardworking, kind, and respectful people I have ever known. As an elderly woman living with rheumatoid arthritis, I often struggle with simple tasks. Alejandro has been extremely helpful, especially since my husband was moved to a full time care facility. Without ever being asked, Alejandro notices when my trash cans are still at the curb and quietly wheels them back to my driveway. When I needed to dispose of large items, he arranged a junk removal for me. When my freezer broke, he came over immediately and fixed it himself. These are not isolated acts, they are a testament to his everyday character.

During the darkest days of the pandemic, Alejandro and his wife Carmen became lifelines for my husband and me. After my husband suffered a devastating accident that left him paralyzed, followed by a colon cancer diagnosis that confined him to bed, we were both extremely high-risk and terrified to leave the house. Week after week, Alejandro and Carmen showed up at our door with toilet paper, bandages, groceries, whatever we needed.

Alejandro is far more than a good neighbor, he is an important member of our community. To lose him would be a detriment to me and the community. He is a devoted husband to Carmen, a United States citizen, and a loving father. Together they share a home and a life built on mutual sacrifice. Alejandro's income is essential to their mortgage and daily expenses. His deportation would tear his family apart, inflicting emotional trauma and putting his family at risk of financial hardship. For me personally, the thought of Alejandro being taken away is heartbreaking. Our neighborhood would lose a role model, and a genuine good person.

I respectfully ask that you consider Alejandro's case with the compassion and fairness it

deserves. He has earned the right to remain in the country he loves, with the family who needs him, and the community that is better because of him.

I declare that all the information provided is true and correct to the best of my knowledge.

Sincerely,


A black rectangular box with a white 'X' drawn across it, used to redact the signature of Margaret Leoh.

Margaret Leoh

Ray Estolano, SBN 204919  
Estolano Law  
545 H St Suite A  
Chula Vista, CA 91910  
Telephone: (619) 476-1291  
Facsimile: 619-872-0375  
Email: estolanolaw@gmail.com  
Attorney for Respondent

**DETAINED**

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
UNITED STATES IMMIGRATION COURT  
IMPERIAL, CALIFORNIA**

<p><b>IN THE MATTER OF</b></p> <p><b>Sandoval-Garcia, Alejandro</b></p> <p><b>In Removal Proceedings</b></p>	<p>File: </p>
--------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------

I am over the age of 18, and not a party to this action. I hereby certify that a copy of Respondent's Motion for Bond Hearing and Waiver of Ten-Day Notice and Exhibits were served on this date to:

U.S. Department of Homeland Security  
U.S. Immigration and Customs Enforcement  
Office of Chief Counsel  
880 Front Street, Suite 2246  
San Diego, CA 92101

The documents were electronically filed through ECAS, and both parties are participating in ECAS. Therefore, no separate service was completed

DATED: 12/03/2025

By:   
Juan M. Andreu

## EXHIBIT C

EXHIBIT C



UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IMPERIAL IMMIGRATION COURT

Respondent Name:

SANDOVAL-GARCIA, ALEJANDRO

To:

Vargas, Osvaldo Adrian  
100 N. Citrus St.  
Suite# 505  
West Covina, CA 91791

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

12/08/2025

ORDER OF THE IMMIGRATION JUDGE

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

- Denied, because  
The Court is without jurisdiction to determine bond in this case, pursuant to Matter of Yayure-Hurtado, 29 I&N Dec. 218 (BIA 2025)
- Granted. It is ordered that Respondent be:
- released from custody on his own recognizance.
  - released from custody under bond of \$
  - other:
- Other:



Immigration Judge: Perry, Anne Kristina 12/08/2025

Appeal: Department of Homeland Security:  waived  reserved  
Respondent:  waived  reserved

Appeal Due: 01/08/2026

### Certificate of Service

This document was served:

Via: [ M ] Mail | [ P ] Personal Service | [ E ] Electronic Service | [ U ] Address Unavailable

To: [ ] Alien | [ ] Alien c/o custodial officer | [ E ] Alien atty/rep. | [ E ] DHS

Respondent Name : SANDOVAL-GARCIA, ALEJANDRO | A-Number : 

Riders:

Date: 12/09/2025 By: LUGO, CASSANDRA, Court Staff