IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

JUAN CHAVEZ CAMPA	)	
Petitioner,	)	
	)	
v.	)	**CIV-26-1-HE**
	)	
JOSHUA JOHNSON, et al.,	)	
Respondents.	)	

RESPONDENTS' SUPPLEMENTAL BRIEF

Pursuant to the Court's Order (Doc. 10), respondents Pamela Bondi, Kristi Noem and Joshua Johnson, (collectively, "Respondents"), submit this Supplemental Brief to address Petitioner Juan Chavez Campa's ("Petitioner") contention that the court's ruling in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3288403 (C.D. Cal. Nov. 25, 2025) controls in this case. Respondents respectfully submit that the Court should dismiss the Petition, or in the alternative, find that the *Maldonado Bautista* decision is in error and not binding on this Court.

INTRODUCTION

Petitioner claims that he is a class member in *Bautista v. Santacruz*, No. 5:25-CV-1873 (C.D. Cal.), and "is entitled to the application of the law as stated in the [] *Bautista* orders granting summary judgment and class certification." Reply at p. 2. In short, Petitioner is claiming this Court must enforce a *declaratory judgment* by ordering *injunctive relief* that *Bautista* did not and could not order.

The Petition should be denied and *Bautista* not applied in this case for several reasons. First, the doctrine of claim splitting bars Petitioner from maintaining two suits

seeking the same remedy. If Petitioner is a party and can obtain relief in *Bautista*, he should do so. But filing multiple suits is not permitted. Second, the *Bautista* judgment is advisory and expressly disclaimed the injunctive relief Petitioner seeks here. Third, because it is jurisdictionally barred, the *Bautista* judgment cannot be enforced. Fourth, the *Bautista* judgment is effectively an impermissible universal injunction and its enforcement outside the Central District of California is a legal nullity. Finally, the Court should prudentially decline to give preclusive effect to *Bautista*.

BACKGROUND

On September 5, 2025, the Bureau of Immigration Appeals (BIA) issued a precedential decision that § 1225(b)(2)(A) mandates detention for inadmissible noncitizens found in the country and holds that immigration judges lack authority to grant bond hearings in those circumstances. *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025) (*Hurtado*). Importantly, the petitioners in *Bautista* did not seek vacatur of *Hurtado*. As such, while *Bautista* sought to cast doubt on *Hurtado* for the same reasons it questioned the Department of Homeland Security policy, the order *expressly declined* to vacate that decision. *Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3713982, at *7 (C.D. Cal. Dec. 18, 2025) ("The Application is **DENIED** as to including vacatur of *Matter of Yajure Hurtado* in the judgment"); *see also Lopez v. Lyons*, No. 1:25-CV-226-H, 2025 WL 3683918, at *1 (N.D. Tex. Dec. 19, 2025) ("The vacatur order sets aside one policy, but it declined to set aside a broader, independent decision from the Board of Immigration Appeals. Thus, the orders do not change immigration judges' obligations to deny bond hearings, and they afford no preclusive relief."). Further, the *Bautista* court did not (and

could not) grant the injunctive relief Petitioner now seeks.[1]

Therefore, Petitioner's conclusory assertion that based on *Bautista* he should be afforded the relief he seeks is plainly wrong. The *Bautista* court did not grant injunctive relief or vacate *Hurtado*. Accordingly, he is not entitled to relief based on *Bautista* as he suggests. As one Court cogently explained:

> Petitioner claims that he 'is entitled to a bond hearing as a member of this class.' But even Petitioner does not believe that argument. If he did, then his remedy lies in the Central District of California, and he would have sought relief there. His decision not to do so speaks volumes about the legal validity of that class certification order.

Pastor v. Dir. of Detroit Field Off., U.S. Immigr. & Customs Enf't,, No. 4:25-CV-02761, 2025 WL 3746495, at *5 (N.D. Ohio Dec. 24, 2025).

ARGUMENT

I. Petitioner's Claims Based on *Bautista* Constitutes Impermissible Claim Splitting

Petitioner cannot maintain multiple suits against the same parties for the same relief. In such circumstances, the second suit should be dismissed. "The rule against claim-splitting requires a plaintiff to assert all of its causes of action arising from a common set of facts in one lawsuit. By spreading claims around in multiple lawsuits in other courts or before other judges, parties waste 'scarce judicial resources' and undermine 'the efficient

[1] *Bautista*, 2025 WL 3713987, at *22 ("The Court cannot *compel* agency action. It has been made abundantly clear that § 1252(f)(1) prohibits lower courts from granting classwide injunctive relief, and the Supreme Court's decision in *Trump v. CASA* has eliminated the existence of the universal preliminary injunction."); *Id.* at *27 ("However, the Supreme Court has acknowledged that a declaratory judgment, '[t]hough it may be persuasive, ... is not ultimately coercive.'")(*citing Steffel v. Thompson*, 415 U.S. 452, 471 (1974).

and comprehensive disposition of cases.'" *Katz v. Gerardi*, 655 F.3d 1212, 1217 (10th Cir. 2011) (citing *Hartsel Springs Ranch of Colo., Inc. v. Bluegreen Corp.*, 296 F.3d 982, 985 (10th Cir. 2002).

That same rule applies to class actions and habeas petitions. *Rector v. City and County of Denver*, 348 F.3d 935, 949 (10th Cir. 2003) ("[U]sual principles of both claim and issue preclusion apply in class actions"); *McNeil v. Guthrie*, 945 F.2d 1163, 1165–66 (10th Cir. 1991) (finding that individual suits for injunctive and declaratory relief cannot be brought where a class action with the same claims exists); *Bennett v. Blanchard*, 802 F.2d 456, 456 (6th Cir. 1986) (holding that the lower court was correct in dismissing a case when the plaintiff was also a member in a parallel class action); *Goff v. Menke*, 672 F.2d 702, 704 (8th Cir. 1982) (since class members generally "cannot relitigate issues raised in a class action after it has been resolved, a class member should not be able to prosecute a separate equitable action once his or her class has been certified."); *Horwitz v. Fox*, No. CIV-14-644-D, 2014 WL 3670537, at *1 (W.D. Okla. July 22, 2014) (dismissing duplicative habeas action).

Petitioner contends that he is a member of the *Bautista* class and is entitled to the application of that partial judgment in this case. As such, Petitioner is effectively asserting two suits against identical parties, based on the same facts and seeking the same relief. Moreover, Petitioner is using the second suit to obtain relief denied in the first suit—a quintessential example of prohibited claim splitting. Accordingly, the Petition should be dismissed. To the extent Petitioner believes *Bautista* compels relief, he should look to that court to provide it. *Muchado v. Grant, No. 5:25-CV-01315-PRW,* at 5 (Jan. 13, 2026)

("Petitioner is welcome to seek the relief he asks for in the Central District, but 'district courts in this circuit are bound by [the Tenth Circuit's] decisions and those of the United States Supreme Court—they are not bound by decisions of other district courts, much less district courts in other circuits.') (*quoting United States v. Rhodes,* 834 Fed. Appx. 457, 462 (10th Cir. 2020) (citation omitted)). *See also Singh v. Albarran*, No. 1:25-CV-01788-CDB (HC), 2025 WL 3751819, at *11 (E.D. Cal. Dec. 29, 2025) ("Insofar as Petitioner seeks relief from the Court regarding the government's specific compliance with the ruling in *Maldonado Bautista*, Petitioner must request such relief in the Central District of California.").

II. Petitioner Misconstrues the Scope of *Bautista*

Petitioner asserts that the immigration court is obligated to follow the declaratory judgment entered in *Bautista.* Reply at p. 3. In effect, Petitioner is contending that *Hurtado* has been vacated. But the relevant *Bautista* order expressly declined to vacate *Hurtado.* Thus, the relief Petitioner seeks is beyond what *Bautista* provided. Accordingly, the *Bautista* orders "are advisory opinions because they do not redress the alleged harm and are not preclusive." *Lopez*, 2025 WL 3683918, at *1. Indeed, the *Bautista* court's prior orders conceded that "class-wide relief order would not interfere with the Government's efforts to detain noncitizens under § 1225(b)(2) because a declaratory judgment ... is not ultimately coercive." *Id.* at *7 (cleaned up). Thus, *Bautista* "was declaratory: nothing more, nothing less" because "[t]he Nation's immigration judges—bound by the BIA—must follow *Yajure Hurtado* as binding precedent." *Id.* at *8-9. Accordingly, there is nothing for this Court to enforce.

Moreover, the *Bautista* court entered an order of declaratory relief. But the Petition in this case does *not* seek declaratory relief. Instead, it seeks *injunctive relief* in the form of a bond hearing or release from detention. *See* Petition at p. 11 (Prayer for Relief). In short, Petitioner conflates *Bautista*'s declaratory relief with the injunctive relief he seeks.

That omission is particularly stark given what the *Bautista* court did not and could not order. *See* 8 U.S.C. § 1252(f)(1) (barring injunctive relief in class actions), Specifically, the *Bautista* court correctly conceded that *Garland v. Aleman Gonzalez*, 596 U.S. 543, 554–55 (2022), prohibited it from ordering class-wide injunctive relief to enforce its orders. *See* No. 5:25-CV-1873, Doc. 93 at 31, 47-48. Yet Petitioner seeks to have this Court do what *Bautista* acknowledged it could not do by seeking injunctive relief based on the judgment entered in that class action suit. The Court should refuse to do so.

III. *Bautista* Is Jurisdictionally Barred by § 1252(e) and Cannot Be Enforced

Section 1252(e)(3)(A) provides that "[j]udicial review of determinations under section 1225(b) of this title and its implementation is available in an action instituted in the United States District Court for the District of Columbia." 8 U.S.C. § 1252(e)(3)(A). The *Bautista* judgment clearly runs afoul of that provision and the Petition doubles down by seeking relief outside the District of Columbia based on nothing more than the assertion of class membership.

Further, Section 1252(e)(1)(B) prohibits district courts from "certify[ing] a class under Rule 23 of the Federal Rules of Civil Procedure in any action for which judicial review is authorized under a subsequent paragraph of this subsection." Given § 1252(e)(3)(A)(i)-(ii) provides for judicial review of constitutional and statutory challenges

to actions taken pursuant to § 1225 in the District of Columbia, the *Bautista* court was prohibited from certifying a class in the first instance. A ruling in this Court recognized and addressed the problem with the *Baustita* court certifying a class in a habeas case and rejected its reasoning by refusing to apply the court's judgment. *Muchado, No. 5:25-cv-01315-PRW,* at 5, ("Further, it is hard to imagine how Rule 23 could be stretched to provide habeas relief to a whole class. There is no historical basis for this proposition.") (citation omitted). *See also Lopez*, 2025 WL 3683918, at *11. Petitioner's attempt to seek class-action enforcement here merely compounds that jurisdictional error and should be denied.[2]

IV. The Petition Seeks Enforcement of a Universal Injunction for Which Courts Lack Jurisdiction

In *CASA*, the Supreme Court held that universal injunctions "likely exceed the equitable authority that Congress has granted to federal courts" through the Judiciary Act of 1789 and its statutory descendants. *Trump v. CASA, Inc.*, 606 U.S. 831, 837 (2025). The Court stated that federal district judges may only grant relief that is identical or analogous to the type of equitable relief afforded at the founding, particularly in the English High Court of Chancery. *Id.* at 841–42. The *Machado* decision in this Court found the *Bautista* partial judgment to effectively be a prohibited universal injunction. "Further, the Court can't help but construe the *Maldonado Bautista* orders as they pertain to the certified class

[2] *Lopez*, 2025 WL 3683918, at *12 n.19 ("If such an action could be sustained at all, there is something daunting—if not destructive of the nature of a class action—in convening a congress of defendants from Boston, Massachusetts; Newark, New Jersey; Madisonville, Kentucky; Anson and Eden, Texas; and hundreds of locales from around the Nation to come and submit to the judgment of the Central District.")

to be anything other than an end-run around Supreme Court precedent." *Machado,No. 5:25-cv-01315-PRW,* at 6. As recently explained by another district court:

> More importantly, this class seeks to resolve a question of interpretation for the entire Nation and, in this line of implication, *still* does not bind any of its class members from seeking individual relief. The difference between this action and a true universal injunction is meaningless. Once more, there would be a system by which the 'plaintiff must win just one suit to secure sweeping relief,' and where, 'to fend off such an injunction, the Government must win everywhere.' *CASA*, 606 U.S. at 855, 145 S.Ct. 2540; *see Ramirez Melgar*, 2025 WL 3496721, at *15. Indeed, this system is even more concerning than the last, because the lack of injunctive relief in the class-wide order means that new cases will arise—potentially seeking the same broad relief—even as the *Maldonado Bautista* litigation progresses. The government could ultimately prevail on appeal in *Maldonado Bautista.* But until that day comes, it must fend off thousands of additional cases addressing the same issue that claim the Central District's orders are binding, and it would face the real risk that other district courts will take the same improper approach, creating an unending minefield of class-action claims.

Lopez, 2025 WL 3683918, at *13. Accordingly, this Court—like the Central District of California—lacks jurisdiction to enforce a universal injunction. *See Rodriguez v. Jeffreys*, No. 8:25CV714, 2025 WL 3754411, at *9 (D. Neb. Dec. 29, 2025) ("The purported 'universal injunction' in the class action in the Central District of California in *Maldonado Bautista* runs afoul of the fundamental subject-matter jurisdiction principle in 'core' habeas cases that the only proper district—especially for petitioners like Alberto Rodriguez who are not now confined in the Central District of California—is the district were the petitioners are confined.").

V. Enforcement of *Bautista* Outside the Central District of California Is a Legal Nullity

As the Supreme Court made clear just this year, "[r]egardless of whether [] detainees formally request release from confinement," if "their claims for relief necessarily imply the

invalidity of their confinement[], their claims fall within the core of the writ of habeas corpus and thus must be brought in habeas." *Trump v. J.G.G.*, 604 U.S. 670, 672 (2025) (internal quotations omitted).

The Supreme Court has imposed two fundamental limits on federal court jurisdiction over core habeas claims. First, "jurisdiction lies in only one district: the district of confinement." *Rumsfeld v. Padilla*, 542 U.S. 426, 443 (2004); *see also J.G.G.*, 604 U.S. at 672. Second, a habeas petitioner must name the petitioner's *immediate* custodian—*i.e.*, the custodian who has actual custody over the petitioner and can produce the "corpus." *Padilla*, 542 U.S. at 435. "Failure to name the petitioner's custodian as a respondent deprives federal courts of personal jurisdiction" needed to issue relief. *Stanley v. Cal. Supreme Court*, 21 F.3d 359, 360 (9th Cir. 1994); *Padilla*, 542 U.S. at 444. Thus, a federal district court is without authority to issue the writ in favor of a habeas petitioner who seeks habeas relief in a judicial district in which he is not confined and the immediate custodian is not located. *Padilla*, 542 U.S. at 442-43. And a "judgment entered without personal jurisdiction over a defendant is void as to that defendant." *Combs v. Nick Garin Trucking*, 825 F.2d 437, 442 (D.C. Cir. 1987).

A class-wide declaratory judgment imposed from outside the district of confinement cannot be squared with the district-of-confinement requirement of habeas, where the relief is an order of release, 28 U.S.C. § 2241(a), not a declaration of legal rights that can later be enforced. *See Calderon v. Ashmus*, 523 U.S. 740, 747 (1998) ("Any judgment in this action thus would not resolve the entire case or controversy as to any one of them, but would merely determine a collateral legal issue governing certain aspects of their pending

or future suits. The disruptive effects of an action such as this are peculiarly great when the underlying claim must be adjudicated in a federal habeas proceeding."); *Fusco v. Grondolsky*, No. 17-1062, 2019 WL 13112044, at *1 (1st Cir. June 18, 2019) ("There is no substantial question that the district court properly dismissed the habeas action. Although framed as a challenge under 28 U.S.C. § 2241 to the execution of appellant's sentence, the petition sought a declaratory judgment that appellant's Southern District of New York conviction and sentence were unlawful."); *LoBue v. Christopher*, 82 F.3d 1081, 1082 (D.C. Cir. 1996) (holding that the "availability of a habeas remedy in another district ousted us of jurisdiction over an alien's effort to pose a constitutional attack . . . by means of a suit for declaratory judgment"); *Monk v. Sec. of Navy*, 793 F.2d 364, 366 (D.C. Cir. 1986) ("In adopting the federal habeas corpus statute, Congress determined that habeas corpus is the appropriate federal remedy for a prisoner who claims that he is 'in custody in violation of the Constitution . . . of the United States,' . . . . This specific determination must override the general terms of the declaratory judgment [] statutes.").

Here, the vast majority of *Bautista* class members are confined *outside* of the Central District of California by immediate custodians who are also *outside* the Central District of California and have not been named in the lawsuit. Therefore, the *Bautista* court lacked jurisdiction to issue habeas relief to class members who are confined outside the Central District of California by immediate custodians also outside that district, and a court's judgment cannot be binding and preclusive against a party over which it lacked jurisdiction. *Burnham v. Superior Court of Cali.*, 495 U.S. 604, 608 (1990).

In sum, the *Bautista* court's declaratory judgment purporting to grant relief that at

its core sounds in habeas is a legal nullity outside that District. At the time of filing the Petition, Petitioner was detained at the Kay County Detention Center—well outside the Central District of California. Further, Petitioner's immediate custodian was not a party in the Central District of California. Subjecting the immediate custodian in this case to the judgment of the Central District of California would be inconsistent with the immediate custodian rule. *Padilla*, 542 U.S. at 439-40; *see also Doe v. Garland*, 109 F.4th 1188, 1196 (9th Cir. 2024) (holding immediate custodian and not supervisory ICE Field Office Director should be named in habeas petition); *Rodriguez*, 2025 WL 3754411, at *8 (Rejecting application of *Bautista* because "[petitioner] has never been detained in the Central District of California, so that jurisdiction over his Petition is not proper in that District; rather, jurisdiction remains proper in this District—and only this District.").

VI. The Court Should Not Give Preclusive Effect to *Bautista*

The Court should not give preclusive effect to *Bautista* for three reasons. First, even if the *Bautista* declaratory judgment could have preclusive effect outside the Central District of California, that judgment has been appealed to the Ninth Circuit, *Bautista, et al. v. United States Department of Homeland Security, et al.*, No. 25-7958 (9th Cir.), and this Court should not afford preclusive effect to that judgment or to any underlying legal issues in deciding whether to grant habeas relief in this case.

Courts must exercise significant caution before giving preclusive effect to declaratory judgments that are on appeal. Reflexively granting preclusive effect to such judgments could lead to subsequent judgment "from which it may be impossible to obtain relief" even if the first judgment is reversed on appeal. 9 A.L.R.2d 984. Courts should

strive to avoid that "evil result[]." *Id.* ("both the rule under which the operation of a judgment as res judicata is, and the one under which it is not, affected by the pendency of an appeal, have very unfortunate consequences"); *see also* 18 Fed. Prac. & Prod. Juris. § 4404 (3d ed.) ("Awkward problems can result from the rule that preclusive effects attach to the first judgment" while that judgment is subject to an appeal); 18 Fed. Prac. & Proc. § 4433 (3d ed.) (the rule that a decision is final for the purposes of preclusion while that decision is pending appeal creates "[s]ubstantial difficulties").

This problem can be "avoided . . . by delaying further proceedings in the second action pending conclusion of the appeal in the first action." *Collins v. D.R. Horton, Inc.*, 505 F.3d 874, 882–83 (9th Cir. 2007) (citing Wright & Miller § 4433). In the circumstances here—and particularly given the constraints of 8 U.S.C. § 1252(f)(1)—it would not be proper to impose res judicata effect on a class-wide basis while the declaratory judgment is pending on appeal. *See* 9 A.L.R.2d 984 (the "only one safe way of avoiding conflicting judgments on the same cause . . . [is for] the final decision on the merits of the second suit should be delayed until the decision on appeal has been rendered").

Second, the circumstances of this case also counsel against applying issue preclusion against the government. The Supreme Court has "long recognized that 'the Government is not in a position identical to that of a private litigant,' *INS v. Hibi*, 414 U.S. 5, 8 (1973) (per curiam), both because of the geographic breadth of government litigation and also, most importantly, because of the nature of the issues the government litigates." *United States v. Mendoza*, 464 U.S. 154, 159 (1984). "Government litigation frequently

involves legal questions of substantial public importance." *Id.* at 160. Thus, although the Supreme Court has held the federal government "may be estopped . . . from relitigating a question" when "the parties to the two lawsuits are the same," *id.* at 163, 164, it is not so precluded in cases where the party seeking to offensively use preclusion was not a party to the initial litigation, *see id.* at 162. This is because allowing "nonmutual collateral estoppel against the government . . . . would substantially thwart the development of important questions of law by freezing the first final decision rendered on a particular legal issue." *Id.* at 160.

For similar reasons, the government should not be precluded from litigating the issue of the proper detention authority here, where the Petitioner was not a named party to the prior *Bautista* litigation, but instead merely a member of a fundamentally flawed nationwide class. In such a circumstance, applying preclusion against the government raises the same concern raised in *Mendoza*—it allows the *Bautista* court's decision to freeze the law for all district courts nationwide, and stymies development of the law. This is particularly so because the *Bautista* court could never grant complete habeas relief to all class members as a result of § 1252(f)(1). Instead, the *Bautista* class action was merely a vehicle for seeking to use the judgment in individual habeas matters such as this one. *Rodriguez*, 2025 WL 3754411, at *10 ("Thus, his attempt to bar Federal Respondents from relitigating the issues presented in *Maldonado Bautista* is nonmutual offensive issue preclusion, which is unavailable against the United States." (cleaned up)).

At minimum, the court should exercise its discretion to decline to employ issue preclusion, as it does in cases where a non-party seeks to invoke preclusion against a private

party. *See Syverson v. Int'l Bus. Machines Corp.*, 472 F.3d 1072, 1078-1079 (9th Cir. 2007) (citing *Parklane Hosiery Co. v. Shore*, 439 U.S. 322, 331 (1979)).

Third, it is doubtful that issue preclusion is ever appropriate in the habeas context. For instance, in *Griffin v. Gomez*, the Ninth Circuit held that a prior "class action has no preclusive affect in habeas proceedings." *Griffin v. Gomez*, 139 F.3d 905, *2 (9th Cir. 1998). The court later explained that res judicata and collateral estoppel do not apply to habeas proceedings. *See Clifton v. Attorney General*, 997 F.2d 660, 663 n.3 (9th Cir. 1993) (recognizing that because "conventional notions of finality of litigation have no place" in habeas and the inapplicability of res judicate to habeas is "inherent in the very role and function of the writ.") (*quoting Sanders v. United States*, 373 U.S. 1, 8 (1963)); *see also Hardwick v. Doolittle*, 558 F.2d 292, 295 (5th Cir. 1977) ("The doctrines of res judicate and collateral estoppel are not applicable in habeas proceedings."); *Hierens v. Mizell*, 729 F.2d 449, 456 (7th Cir. 1984) ("a decision in another case is not res judicata as to a habeas proceeding.").

CONCLUSION

For the foregoing reasons, Petitioner's reliance on *Bautista* should be rejected and the Petition should be denied and the case dismissed.

Respectfully submitted,

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