

1 Sandra Gotlaufa-Orozco (CA Bar No. 298327)
2 DYADlaw, P.C.
3 380 S. Melrose Dr., Suite 414
4 Vista, California 92081
5 Tel: (858) 480-1077
6 sandra.gotlaufa@dyadlaw.com

7 Attorney for Petitioner

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

10 Juan RUIZ DIAZ,
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
Petitioner,

Case No.: '26CV0427 JO BLM

Agency File No.: 

v.
Christopher J. LAROSE, in his official
capacity as Warden of Otay Mesa
Detention Center; Daniel A.
BRIGHTMAN, in his official capacity as
San Diego Field Office Director, ICE
Enforcement and Removal Operations;
Todd LYONS, in his official capacity as
Acting Director of ICE; Kristi NOEM, in
her official capacity as Secretary of
Homeland Security; Pamela BONDI, in
her official capacity as U.S. Attorney
General,

**PETITION FOR WRIT OF
HABEAS CORPUS;
COMPLAINT FOR
DECLARATORY AND
INJUNCTIVE RELIEF**

**REQUEST TO EXPEDITE
PROCEEDINGS**

Respondents.

TABLE OF CONTENTS

1 I. Introduction.....3
2 II. Custody.....6
3 III. Jurisdiction and Venue.....7
4 IV. Requirements of 28 U.S.C. §22438
5 V. Parties.....8
6 VI. Exhaustion of Administrative Remedies.....10
7 VII. Statement of Facts.....11
8 A. Twenty-Seven Years as a Law-Abiding, Valuable Community
9 Member in the United States11
10 B. Circumstances of ICE Arrest and Detention.....13
11 C. Eligibility for Immigration Relief.....15
12 D. Suffering Irreparable Harm While Detained; Family Medical
13 Emergency.....15
14 VIII. Claims for Relief
15 Count One: Request for Relief Pursuant to *Maldonado Bautista*....17
16 Count Two: Violation of Procedural Due Process.....18
17 Count Three: Violation of Substantial Due Process.....20
18 IX. Prayer for Relief.....22
19
20
21
22
23
24
25
26
27
28

1 *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F.
2 Supp. 3d ----, 2025 WL 3289861, at *11 (C.D. Cal. Nov. 20, 2025) (order
3 granting partial summary judgment to named Plaintiffs-Petitioners);

4 *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F.
5 Supp. 3d ----, 2025 WL 3288403, at *9 (C.D. Cal. Nov. 25, 2025) (order
6 certifying Plaintiffs-Petitioners' proposed nationwide Bond Eligible Class,
7 incorporating and extending declaratory judgment from Order Granting
8 Petitioners' Motion for Partial Summary Judgment).

9
10
11 4. The declaratory judgment held that the Bond Denial Class members are
12 detained under 8 U.S.C. § 1226(a), and thus may not be denied consideration
13 for release on bond under § 1225(b)(2)(A). *Maldonado Bautista*, 2025 WL
14 3289861, at *11.

15
16 5. Nonetheless, the Executive Office for Immigration Review and its
17 subagency the Immigration Court and the Department of Homeland Security
18 (DHS) have blatantly refused to abide by the declaratory relief and have
19 unlawfully ordered that Petitioner be denied the opportunity to be released
20 on bond.
21

22
23 6. Petitioner Mr. RUIZ DIAZ is a member of the Bond Eligible Class, as he:
24
25

1 a. does not have lawful status in the United States and is currently
2 detained at the Otay Mesa, California detention facility. He was
apprehended by immigration authorities on December 4, 2025;

3 b. entered the United States without inspection more than 25 years
4 ago and was not apprehended upon arrival, *cf. id.*; and

5 c. is not detained under 8 U.S.C. § 1226(c), § 1225(b)(1), or §
6 1231.

7 7. After apprehending Mr. RUIZ DIAZ on December 4, 2025, the DHS placed
8 him in removal proceedings pursuant to 8 U.S.C. § 1229a. DHS has charged
9 Petitioner as being inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i), as
10 someone who entered the United States without inspection.

11
12 8. Respondents are bound by the judgment in *Maldonado Bautista*, as it has the
13 full “force and effect of a final judgment.” 28 U.S.C. § 2201(a).

14 Nevertheless, Respondents continue to flagrantly defy the judgment in that
15 case and continue to subject Mr. RUIZ DIAZ to unlawful detention despite
16 his clear entitlement to consideration for release on bond as a Bond Eligible
17 Class member.
18

19
20 9. Immigration judges (hereinafter “IJs”) have informed class members in
21 bond hearings that they have been instructed by “leadership” that the
22 declaratory judgment in *Maldonado Bautista* is not controlling, even with
23 respect to class members, and that instead IJs remain bound to follow the
24
25
26

1 agency's prior decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216
2 (BIA 2025).

3 10. This is exactly what happened during Mr. RUIZ DIAZ's bond hearing on
4 January 20, 2026. The IJ denied his bond request for lack of jurisdiction
5 based on an erroneous application of the *Matter of Yajure Hurtado* (BIA
6 2025).

7
8 11. Because Respondents are detaining Mr. RUIZ DIAZ in violation of the
9 declaratory judgment issued in *Maldonado Bautista*, the Court should
10 accordingly order that within one day, Respondent DHS must release him.

11
12 12. Alternatively, the Court should order Mr. RUIZ DIAZ's release unless
13 Respondents provide a bond hearing under 8 U.S.C. § 1226(a) within seven
14 days.
15

16
17
18 **II. CUSTODY**

19 13. Mr. RUIZ DIAZ is currently in Respondents' legal and physical custody at
20 the Otay Mesa Detention Center in San Diego, California. He is under
21 Respondents' and their agents' direct control.

22 //

23 //

III. JURISDICTION AND VENUE

1
2 14. This Court has jurisdiction under 28 U.S.C. § 2241 (habeas corpus), 28
3 U.S.C. § 1331 (federal question), and Article I, § 9, cl. 2 of the Constitution
4 (Suspension Clause), as Mr. RUIZ DIAZ is presently in custody under the
5 authority of the United States and challenging his detention as in violation of
6 the Constitution, laws, or treaties of the United States.

7
8 15. Federal district courts have jurisdiction under 28 U.S.C. § 2241 to hear
9 habeas claims by individuals challenging the lawfulness of their detention by
10 ICE. *See Jennings v. Rodriguez*, 583 U.S. 281, 290-92 (2018).

11
12 16. The aid of this Court is further invoked under 28 U.S.C. §§ 2201 and 2202,
13 authorizing a declaratory judgment and any further necessary and proper
14 relief.

15
16 17. Venue is proper with this Court because the events giving rise to this claim
17 occurred in this district and Mr. RUIZ DIAZ is currently detained at the
18 Otay Mesa Detention Center in San Diego, California. Venue is also proper
19 pursuant to 28 U.S.C. § 1391(e) because the Respondents are all officers
20 and agencies of the United States; Mr. RUIZ DIAZ resides in this judicial
21 district; and there is no real property involved in this action.
22
23
24
25

IV. REQUIREMENTS OF 28 U.S.C. § 2243

1 18. Unless Mr. RUIZ DIAZ is wholly ineligible for relief, the Court must either
2 grant the instant petition for writ of habeas corpus or order Respondents to
3 show cause as to why it should not be granted. 28 U.S.C. § 2243. If so
4 ordered, Respondents must file a response within three days.
5

6
7 19. Habeas corpus is “perhaps the most important writ known to the
8 constitutional law ... affording as it does a swift and imperative remedy in
9 all cases of illegal restraint or confinement.” *Fay v. Noia*, 372 U.S. 391, 400
10 (1963).
11

12 20. Due to the nature and urgency of this proceeding, Mr. RUIZ DIAZ asks this
13 Court to expedite these proceedings as necessary and practicable for justice.
14
15

V. PARTIES

16
17 21. Mr. RUIZ DIAZ is a fifty-two years old Mexican national who resides in
18 Encinitas, California. He is currently detained by Respondents at the Otay
19 Mesa Detention Center in San Diego, California, pending removal
20 proceedings.
21

22
23 22. Respondent Christopher J. LaRose is the Warden of Otay Mesa Detention
24 Center. Respondent LaRose is responsible for the operation of the Detention
25

1 Center where Mr. Rangel Velazquez is detained. As such, Respondent
2 LaRose has immediate physical custody of Mr. Rangel Velazquez. He is
3 being sued in his official capacity.

4 23. Respondent Daniel A. Brightman is the San Diego Field Office Director
5 (“FOD”) for ICE Enforcement and Removal Operations. Respondent
6 Brightman is responsible for the oversight of ICE operations at the Otay
7 Mesa Detention Center. Respondent Brightman is being sued in his official
8 capacity.
9

10
11 24. Respondent Todd Lyons is the Acting Director of ICE. Respondent Lyons is
12 responsible for the administration of ICE and the implementation and
13 enforcement of the immigration laws, including immigrant detention. As
14 such, Respondent Lyons is a legal custodian of Mr. Rangel Velazquez and is
15 being sued in his official capacity.
16

17
18 25. Respondent Kristi Noem is the Secretary of the Department of Homeland
19 Security (“DHS”). As Secretary of DHS, Secretary Noem is responsible for
20 the general administration and enforcement of the immigration laws of the
21 United States. Respondent Secretary Noem is a legal custodian of Mr.
22 Rangel Velazquez and is being sued in her official capacity.
23
24
25
26

1 26. Respondent Pamela Bondi is the Attorney General of the United States and
2 the most senior official in the U.S. Department of Justice. Respondent
3 Attorney General Bondi is a legal custodian of Mr. RUIZ DIAZ and is
4 named in her official capacity.
5

6 7 VI. EXHAUSTION OF ADMINISTRATIVE REMEDIES

8 27. Exhaustion of administrative remedies is a prudential, not jurisdictional,
9 requirement in habeas claims. See 28 § U.S.C. 2241; *Laing v. Ashcroft*, 370
10 F.3d 994, 998 (9th Cir. 2004). Exhaustion should not be required in this case
11 because administrative remedies are futile and Mr. RUIZ DIAZ's continued
12 detention will result in irreparable harm.
13

14 28. In fact, Mr. RUIZ DIAZ did file a motion for custody and bond
15 redetermination. During his bond hearing on January 20, 2026, the IJ denied
16 his bond request for lack of jurisdiction based on an erroneous application of
17 the *Matter of Yajure Hurtado* (BIA 2025).
18

19 29. Mr. RUIZ DIAZ is experiencing irreparable harm while detained. He is
20 depressed and is struggling to maintain his physical health. He is also
21 suffering from the emotional toll of separation from his wife and two young
22 children. Mr. RUIZ DIAZ is extremely concerned that his wife won't be able
23
24
25

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

to cover the basic household necessities (rent, utilities, and food) because she recently broke her knee and is unable to work, and the household does not have any savings.

30. Mr. RUIZ DIAZ is especially fearful that his wife won't be able to provide the necessary care for their 11-year-old son [REDACTED] [REDACTED] who remains at a high risk for serious medical complications due to pancytopenia, a serious blood disorder. When he was first diagnosed in February 2024, [REDACTED] almost bled out and went into a coma. He required numerous emergency blood transfusions, and for the next three months his parents had to spend two full days at the hospital every week for follow up transfusions. Currently he is kept stable by daily medications and close medical monitoring. [REDACTED] requires the support of both his parents to be able to manage his condition.


VII. STATEMENT OF FACTS

A. Twenty-Seven Years as a Law-Abiding, Valuable Community Member in the United States


31. Mr. RUIZ DIAZ is a Mexican national who was born on [REDACTED] He entered the United States on or around December 15, 1997. Since then, he has lived continuously in Southern California.


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

32. Mr. RUIZ DIAZ is employed full-time as a janitor working for a company that specializes in maintaining the premises of various banks. To cover his family's expenses, he also works as a maintenance worker at the YMCA. Mr. RUIZ DIAZ has never asked for any government or financial assistance.



33. Mr. RUIZ DIAZ lives with his wife and two children - 



 both children are United States citizens.

34.  suffers from a serious blood condition that requires regular blood transfusions, daily medications, and constant medical supervision to address various complications. He requires the help of both his mother and his father, Mr. RUIZ DIAZ, to manage his condition and daily life.

35. Mr. RUIZ DIAZ's wife is a stay-at-home-mother and currently the only caregiver to Emilio and his brother. She recently broke her knee, so she requires her husband's help with Emilio's care and daily household tasks. She is also unable to work. The family does not have any meaningful savings, and their only economic support is Mr. RUIZ DIAZ.

36. Tragically, Mr. RUIZ DIAZ's third child - 
 - was killed by a drunk driver on November 1, 2013, in Encinitas, when the family was simply walking on a sidewalk.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

37. Even in the face of this tragedy, Mr. RUIZ DIAZ persisted and continued to provide reliable support for his family. In addition, he is a valued church member at the St. John's parish in Encinitas, California, where he has been volunteering and helping numerous members of his community.

B. Circumstances of ICE Arrest and Detention

38. Mr. RUIZ DIAZ does not have any criminal history of arrest, charges, or conviction in the United States or any other country.

39. On January 20, 2025, President Donald J. Trump issued several executive actions relating to immigration, including "Protecting the American People Against Invasion," an executive order setting out a series of interior immigration enforcement actions. See Exec. Order No. 14,159, 90 Fed. Reg. 8443 (Jan. 29, 2025). This executive order instructs the DHS Secretary to "take all appropriate action to enable" ICE, CBP, and USCIS to prioritize civil immigration enforcement procedures, including through mass detention. The Trump administration, through this and other actions, has outlined sweeping changes to immigration enforcement, establishing a formal framework for mass deportation.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

40. Since then, ICE has engaged in highly publicized arrests of individuals who presented no flight risk or danger. Most of the people detained by ICE in San Diego have no criminal record.¹

41. ICE agents apprehended Mr. RUIZ DIAZ at about 5:00 a.m. on December 4, 2025, when he was arriving at his workplace in Encinitas, California.

42. It is unclear why Mr. RUIZ DIAZ was suddenly detained after leading a law-abiding life in the United States for more than twenty-five years.

43. Mr. RUIZ DIAZ was not given a hearing or an opportunity to present evidence of why he should not be detained.

44. Sometime after apprehending Mr. RUIZ DIAZ, the Department of Homeland Security issued a Notice to Appear in Immigration Court. Therein, the DHS charged Mr. RUIZ DIAZ with inadmissibility pursuant to 8 U.S.C. §§ 1182(a)(6)(A)(i), as an alien present in the United States without inspection and admission or parole.

//
//
//

¹ See *New Data Shows Most San Diego ICE Arrests Have No Criminal Records* (Dec. 12, 2025), <https://www.nbcsandiego.com/news/local/new-data-shows-most-san-diego-ice-arrests-have-no-criminal-records/3944693/>

C. Eligibility for Immigration Relief

1
2 45. Mr. RUIZ DIAZ is statutorily eligible for Cancellation of Removal
3 pursuant to 8 U.S.C. § 1229b(b)(1) because he does not have any criminal
4 record, has been present in the United States for more than ten years, and
5 because his young U.S.citizen children would suffer exceptional and
6 extremely unusual hardship if he was deported. Mr. RUIZ DIAZ's
7 application will be filed before his individual hearing on June 6, 2026.
8

9
10 46. In addition, Mr. RUIZ DIAZ is statutorily eligible for affirmative
11 humanitarian relief in the form of a U-visa as the indirect victim of crime
12 (CA PC 192(c)(2) vehicular manslaughter of his infant child). U-visa
13 certification has been requested to initiate this process.
14

15
16 D. Suffering Irreparable Harm While Detained: Family Medical Emergency

17
18 47. Mr. RUIZ DIAZ is suffering greatly in detention. He is depressed and is
19 struggling to maintain his physical health. He is also suffering from the
20 emotional toll of separation from his wife and two young children.
21

22 48. Mr. RUIZ DIAZ is extremely worried about his wife's ability to cover the
23 basic necessities (rent, utilities, and food) while he is detained. His wife
24 recently broke her knee, so she is unable to work. The household does not
25

1 have any meaningful savings, and the family depends entirely on Mr. RUIZ
2 DIAZ's work income to cover their expenses.

3 49. Even more worrisome, Mr. RUIZ DIAZ's 11-year-old son [REDACTED] suffers
4 from a serious blood condition that requires regular blood transfusions, daily
5 medications, and constant medical supervision to address various
6 complications. He requires the help of both his mother and his father, Mr.
7 RUIZ DIAZ, to manage his condition and daily life.

8
9 50. Mr. RUIZ DIAZ's wife is currently the only caregiver to [REDACTED] and his
10 brother. Ever since she broke her knee, she requires her husband's help with
11 [REDACTED] care and daily household tasks.

12
13 51. Mr. RUIZ DIAZ does not have any criminal history. He has very strong
14 family and community ties in the United States, and he has been a very
15 active member of his church for more than a decade.

16
17 52. Mr. RUIZ DIAZ is eligible for several forms of immigration relief:
18 cancellation of removal and a U-visa. Thus, there is no reason to believe
19 that he would pose a danger to the community or a flight risk if released
20 from DHS custody.

21 //

22 //

VIII. CLAIMS FOR RELIEF

COUNT ONE

**Violation of the INA;
Request for Relief Pursuant to *Maldonado Bautista***

1
2
3
4
5 53. Mr. RUIZ DIAZ repeats, re-alleges, and incorporates by reference each and
6 every allegation in the preceding paragraphs as if fully set forth herein.

7
8 54. As a member of the Bond Eligible Class, Mr. RUIZ DIAZ is entitled to
9 consideration for release on bond under 8 U.S.C. § 1226(a).

10 55. The order granting partial summary judgment in *Maldonado Bautista* holds
11 that Respondents violate the INA in applying the mandatory detention
12 statute at § 1225(b)(2) to class members.

13
14 56. The order granting class certification in *Maldonado Bautista* further orders
15 that “[w]hen considering this determination with the MSJ Order, the Court
16 extends the same declaratory relief granted to Petitioners to the Bond
17 Eligible Class as a whole.”
18

19
20 57. Respondents are parties to *Maldonado Bautista* and bound by the Court’s
21 declaratory judgment, which has the full “force and effect of a final
22 judgment.” 28 U.S.C. § 2201(a).

23
24 58. By denying Mr. RUIZ DIAZ a bond hearing under § 1226(a) and asserting
25 that he is subject to mandatory detention under § 1225(b)(2), Respondents
26

1 violate Petitioner's statutory rights under the INA and the Court's judgment
2 in *Maldonado Bautista*.

3
4 **COUNT TWO**

5 **Violation of the Fifth Amendment Due Process Clause**
6 **Procedural Due Process**

7
8 59. Mr. RUIZ DIAZ repeats, re-alleges, and incorporates by reference each and
9 every allegation in the preceding paragraphs as if fully set forth herein.

10
11 60. All persons residing in the United States are protected by the Due Process
12 Clause of the Fifth Amendment. *Zadvydas v. Davis*, 533 U.S. 678, 694
13 (2001).

14
15 61. The Due Process Clause of the Fifth Amendment provides that "[n]o person
16 shall be ... deprived of life, liberty, or property, without due process of law."
17 U.S. Const. amend. V.

18
19 62. Freedom from bodily restraint is at the core of the liberty protected by the
20 Due Process Clause. *Zadvydas*, 533 U.S. at 690. This vital liberty interest is
21 at stake when an individual is subject to detention by the federal
22 government. *See id.*

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

63. While the government may detain individuals who have been placed in immigration removal proceedings, immigration detention is still subject to review under the Due Process Clause. *See Zadvydas*, 533 U.S. at 694; *Hernandez v. Sessions*, 872 F.3d 976, 981 (9th Cir. 2017).

64. The Fifth Amendment Due Process Clause forbids deprivation of liberty without notice and a meaningful opportunity to be heard. The Due Process Clause protects “all ‘persons’ within the United States, including [non-citizens], whether their presence here is lawful, unlawful, temporary, or permanent.” *Zadvydas*, 533 U.S. at 693.

65. Respondents took Mr. RUIZ DIAZ into custody in an arbitrary manner, not based on any rational or individualized determination, and without notice or an opportunity to be heard prior to his detention.

66. Under *Mathews v. Eldridge*, 42 U.S. 319, 335 (1976), courts evaluate procedural Due Process claims by balancing (1) the private interest affected; (2) the risk of erroneous deprivation of such an interest; and (3) the government’s interest.

67. Applying this test, Mr. RUIZ DIAZ’s private liberty interest in being free from detention is weighty, particularly given his eligibility for several forms of immigration relief, long-term residence, family and community ties.

1 gainful work record, and lack of any criminal history. *See Zadvydas*, 533
2 U.S. at 690.

3 68. Furthermore, the risk of erroneous deprivation of Mr. RUIZ DIAZ's liberty
4 interest is great given that he did not receive any type of pre-deprivation
5 hearing. As a result, neither he nor the government had an opportunity to
6 determine whether there was a valid basis for his detention. *See Pinchi v.*
7 *Noem*, No. 5:25-cv-05632-PCP at 8 (N.D. Cal. July 24, 2025).

8
9 69. Because Mr. RUIZ DIAZ was not afforded a pre-detention hearing to
10 determine whether he posed a danger to the community or flight risk, his
11 detention violates procedural Due Process.
12

13
14
15 **COUNT THREE**

16 **Violation of the Fifth Amendment Due Process Clause**
17 **Substantive Due Process**

18
19 70. Mr. RUIZ DIAZ repeats, re-alleges, and incorporates by reference each and
20 every allegation in the preceding paragraphs as if fully set forth herein.

21 71. All persons residing in the United States are protected by the Due Process
22 Clause of the Fifth Amendment. *Zadvydas*, 533 U.S. at 690.
23

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

72. Freedom from bodily restraint is at the core of the liberty protected by the Due Process Clause. *Id.* This liberty interest is at stake when an individual is subject to detention by the federal government. *See id.*

73. Immigration detention must serve a legitimate purpose—such as ensuring appearance or protecting the community—and must be reasonably related to, and not excessive in relation to, that purpose. *See id.*

74. Thus, immigration detention that does not serve legitimate government purposes of preventing flight or mitigating danger violates substantive Due Process. *See id.*

75. Immigration detention facilitated by blanket government policies without regard to whether an individual is a flight risk or a danger to the community violates the Due Process Clause. *See id.*; *see also United States v. Trimble*, 487 F.3d 752, 757 (9th Cir. 2007) (stating that due process requires that government action be rational and non-arbitrary).

76. Mr. RUIZ DIAZ does not present a danger to the community or a flight risk. He does not have a criminal history of arrest, charges, or convictions, in the United States or any other country. He has strong family ties in this country, a long gainful employment history, and very strong community ties. He is

1 eligible for several forms of immigration relief (cancellation of removal and
2 U-visa.) His detention does not serve any legitimate government purpose.

3 77. Mr. RUIZ DIAZ's detention violates substantive Due Process because it is
4 not rationally related to any legitimate government purpose.
5

6
7 **IX. PRAYER FOR RELIEF**

8 Mr. RUIZ DIAZ prays that this Court grant the following relief:
9


- 10 1. Assume jurisdiction over this matter;
- 11 2. Issue an Order to Show Cause ordering Respondents to show cause
12 why this Petition should not be granted within three days;
- 13 3. Declare that Mr. RUIZ DIAZ's detention without an individualized
14 determination violates the Due Process Clause of the Fifth
15 Amendment;
- 16 4. Issue a writ of habeas corpus requiring that within one day,
17 Respondents release Mr. RUIZ DIAZ;
- 18 5. Alternatively, issue a writ of habeas corpus requiring Respondents to
19 release Mr. RUIZ DIAZ unless they provide a bond hearing under 8
20 U.S.C. § 1226(a) within seven days;
21
22
23
24
25
26

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- 6. Order Respondents to refrain from transferring Mr. RUIZ DIAZ out of the jurisdiction of this court during the pendency of these proceedings and while the Mr. RUIZ DIAZ remains in Respondents' custody;
- 7. Award attorneys' fees and costs to Mr. RUIZ DIAZ under the Equal Access to Justice Act (EAJA), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and
- 8. Grant any other and further relief which this Court deems just and proper.

I affirm, under penalty of perjury, that the foregoing is true and correct.

Dated: January 23, 2026

Signature: 
 By: Sandra Gotlaufa-Orozco
 Attorney for Petitioner

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I, Sandra Gotlaufa-Orozco, attorney for Petitioner, declare that I am acting on behalf of Mr. Juan RUIZ DIAZ, the person for whose relief the foregoing Petition for Writ of Habeas Corpus is intended. I have discussed with Petitioner the events described in the Petition. Based on those discussions, I verify that factual statements contained in the attached Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge, information, and belief.

Executed on January 23, 2026, in Vista, California.

Respectfully submitted,

/s/ Sandra Gotlaufa-Orozco
Sandra Gotlaufa-Orozco
Attorney for Petitioner