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

11 WUILBER GARCIA-JUAREZ,

12 Petitioner,

13 v.

14 MARKWAYNE MULLIN, Secretary of  
15 the Department of Homeland Security,  
16 TODD BLANCHE, Acting Attorney  
17 General, TODD M. LYONS, Acting  
18 Director, Immigration and Customs  
19 Enforcement, JESUS ROCHA, Acting  
20 Field Office Director, San Diego Field  
21 Office, JEREMY CASEY, Warden at  
22 Imperial Regional Detention Facility,

23 Respondents.

Civil Case No.: 26-cv-3007-LL-DEB

**RESPONSE TO RESPONDENT'S  
SUPPLEMENTAL BRIEFING**

1 On June 23, 2026, this Court ordered Respondents to “respond to  
2 Petitioner’s argument that he was arrested without a warrant and if so, what the  
3 appropriate remedy would be.” ECF No. 15. In response, Respondents provided  
4 an I-200 Warrant for Arrest of Alien and contended that “Petitioner is not entitled  
5 to an immediate release as Petitioner was served with the administrative warrant  
6 on April 30, 2026”—the day of his arrest. ECF No. 16 at 1; ECF 16-1.

7 Not only is this evidence insufficient, it *affirmatively suggests* that  
8 Mr. Garcia-Juarez was arrested without a warrant, for three reasons.

9 First, the certificate of service states that the warrant was served on  
10 Mr. Garcia-Juarez “at 880 Front St., San Diego, CA 92101.” ECF No. 16-1. But  
11 Mr. Garcia-Juarez’s declaration—which Respondents have never contested—state  
12 that on April 30, 2026, he was “in a motor home in Point Loma, California” when  
13 “a number of ICE officers surrounded my motor home and told me to come out”  
14 and “arrested me.” ECF No. 7, Exhibit A, at ¶ 3. In other words, nothing in the  
15 warrant shows that it was issued *before* Mr. Garcia-Juarez’s arrest at his motor  
16 home; in fact, it suggests that the warrant was only prepared and served on him  
17 *after* he was arrested and taken to the federal building.

18 Second, the two signature spaces on the warrant for the Authorized  
19 Immigration Officer and the officer serving the warrant have been heavily  
20 redacted to the point where it is impossible to tell whether the warrant was even  
21 signed. Thus, the warrant contains no evidence that it was validly issued by the  
22 appropriate immigration officers.

23 Finally, the warrant purports to make a determination of probable cause for  
24 Mr. Garcia-Juarez’s arrest based on two checked boxes that state:

- 25 • “the execution of a charging document to initiate removal  
26 proceedings against the subject”; and
- 27 • “statements made voluntarily by the subject to an immigration officer  
28 and/or other reliable evidence that affirmative indicate the subject  
either lacks immigration status or notwithstanding such status is  
removable under U.S. immigration law.”

1 ECF 16-1. But Respondents submit no evidence that a “charging document,”  
 2 “statements made voluntarily by the subject,” or “other reliable evidence” existed  
 3 *before* his arrest at the motor home. To the contrary, the “statements made  
 4 voluntarily by the subject to an immigration officer” likely refer to the statements  
 5 Mr. Garcia-Juarez made to agents *at his motor home*—rather than statements that  
 6 triggered the issuance of a warrant *before his arrest*.

7 In other words, everything about the warrant Respondents have produced  
 8 suggests that immigration agents went to Mr. Garcia-Juarez’s motor home in  
 9 Point Loma, arrested him, brought him to the federal building in downtown San  
 10 Diego, and only then created, signed, and served the warrant. This rendered  
 11 Mr. Garcia-Juarez’s arrest illegal. As one court has explained, “[t]he Supreme  
 12 Court’s explanation of the process for a warrant-based apprehension and detention  
 13 under S 1226(a) confirms that the warrant must be issued *before* the alien is  
 14 arrested and taken into custody.” *Ramos v. Lyons*, 809 F. Supp. 3d 1015, 1023  
 15 (C.D. Cal. Nov. 12, 2025). So unlike other cases where Respondents have  
 16 submitted evidence that this warrant was issued before a noncitizen’s arrest,<sup>1</sup> the  
 17 evidence here demonstrates the opposite. Thus, this Court should grant the  
 18 petition and order Mr. Garcia-Juarez’s immediate release.

19 Respectfully submitted,

20 Dated: June 26, 2026

*s/ Kara Hartzler*

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25 <sup>1</sup> For instance, in *Villano de Jesus v. Mullin*, 26-cv-2958-LL-MMP (S.D. Cal.  
 26 June 24, 2026), this Court rejected a similar warrant argument where Respondents  
 27 had submitted a warrant with visible signatures and an accompanying I-213 that  
 28 stated agents had been “tasked with locating an individual *with an I-200*  
*[warrant] lodged against him.*” See *id.* at ECF 10-1. So unlike here, the record in  
*Villano de Jesus* contained direct evidence that the warrant was issued prior to the  
 individual’s apprehension.