

1 ERIC GRANT
United States Attorney
2 ELISA M. RODRIGUEZ
Assistant United States Attorney
3 2500 Tulare Street, Suite 4401
Fresno, CA 93721
4 Telephone: (559) 497-4000
Facsimile: (559) 497-4099

5 Attorneys for Respondents
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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 JOAQUIN DEL VALLE CASTRO,



12
13 Petitioner,

14 v.

15 TONYA ANDREWS, *et al.*,

16 Respondents.

No. 1:26-CV-05096-DJC-CKD

NOTICE OF COMPLIANCE

17 On or about July 13, 2026, this Court ordered Respondents to afford Petitioner a constitutionally
18 adequate bond hearing within 14 days of the Order. Dkt. 9. On July 23, 2026, Respondents filed a
19 status report that at Petitioner's request, the bond hearing was continued to July 27, 2026. Dkt. 11.

20 On July 27, 2026, Petitioner was provided a bond hearing where the government held the burden
21 of establishing flight risk or danger by clear and convincing evidence. Petitioner was denied bond.
22 Exhibit A (Order of the Immigration Judge).

23 Dated: July 29, 2026

Respectfully submitted,

24 ERIC GRANT
United States Attorney

25
26 By: /s/ Elisa M. Rodriguez
27 ELISA M. RODRIGUEZ
Assistant United States Attorney
28 Attorneys for Respondents

EXHIBIT A



**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
ADELANTO IMMIGRATION COURT**

Respondent Name:

DEL VALLE CASTRO, JOAQUIN

To:

DEL VALLE CASTRO, JOAQUIN
GOLDEN STATE ANNEX
611 FRONTAGE ROAD
MCFARLAND, CA 93250

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

07/27/2026

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
DANGER

The record reflects that 2025, Respondent was arrested on suspicion of molesting a minor child and false imprisonment. See Exh. 3 (including Form I-213, Record of Deportable/Inadmissible Alien). Respondent acknowledged at the custody redetermination hearing, he has indeed been convicted of molesting a child and sentenced to five years of probation. See Digital Audio Recording (DAR) of 07/27/2026 bond hearing.

However, according to Respondent, he "did nothing wrong." *Id.* Respondent argues that he is factually innocent and that he simply agreed to plea to the offense at the advice of his criminal defense counsel. See *id.* "Sexual offenses perpetrated on children are exceptionally serious crimes." *Pablo v. INS*, 72 F.3d 110, 114 (9th Cir. 1995); see also *United States v. Baron Medina*, 187 F.3d 1144, 1147 (9th Cir. 1999) ("The use of young children as objects of sexual gratification is corrupt, improper, and contrary to good order [... and] constitutes maltreatment, no matter its form."). Additionally, to the extent that Respondent argues that he is factually innocent, the Court acknowledges that he has been convicted of the crime, and he has not persuaded this Court that there exists justification to "look behind the fact of conviction and relitigate the ultimate question of [his] guilt or innocence." *Matter of C-M-M-*, 29 I&N Dec. 141, 142 (BIA 2025) (citing *Matter of Roberts*, 20 I&N Dec. 294, 301 (BIA 1991)); see also *Matter of Dubon Miranda*, 29 I&N Dec. 335 (BIA 2025) (concluding that a respondent had not met his burden to prove that he was not a danger to the community where he was convicted of disturbing the peace by guilty plea, where the Immigration Judge "asked [respondent] what he did to commit the

offense, [and] the respondent said that he entered a guilty plea so everything could end,” and where the Board determined that “[t]his nonresponsive answer and the lack of additional evidence explaining the disturbing the peace convictions leaves open questions about what the respondent did, which is key to assessing his dangerousness”). On this record, given the seriousness and recency of Respondent's conviction, the Court concludes that the Department has shown by clear and convincing evidence that Respondent is a danger to the community and denies his request for custody redetermination on that basis.

FLIGHT

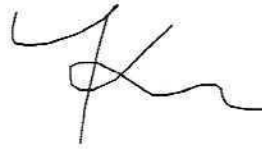
Respondent first entered the United States on or about 2023 by presenting at a port of entry with an appointment through the CBP One application. See Exh. 3 (Form I-213). See *Matter of Akhmedov*, 29 I&N Dec. 166, 167 (BIA 2025) (noting that a short length of residence in the United States weighs against release in a bond proceeding); *Matter of E-Y-F-G-*, 29 I&N Dec. 103, 104 (BIA 2025); *Matter of R-A-V-P-*, 27 I&N Dec. 803, 805 (BIA 2020) (noting that an alien's recent arrival to the United States is relevant in assessing flight risk). Thereafter, he was granted the privilege of parole, and he subsequently used this parole to apply for adjustment of status under the Cuban Adjustment Act by filing a Form I-485 with U.S. Citizenship and Immigration Services (USICS). See Exh. 3 (Form I-213).

Respondent has not applied for any other immigration benefits or protections against deportation. And, his recent conviction for child molestation will undoubtedly negatively impact his likelihood of prevailing on his pending request for adjustment of status, which is a discretionary benefit. See *Matter of Arai*, 13 I&N Dec. 494 (BIA 1970); see also *Matter of Andrade*, 19 I&N Dec. 488, 490 (BIA 1987) (“A[n alien] with a greater likelihood of being granted relief from deportation has a greater motivation to appear for a deportation hearing than one who, based on a criminal record or otherwise, has less potential of being granted such relief.”); *Matter of R-A-V-P-*, 27 I&N Dec. 803, 805 (BIA 2020) (stating the Court may consider “the likelihood that relief from removal will be granted” in evaluating a request for bond).

The Court acknowledges that Respondent has family ties to the United States and has engaged in gainful employment in the United States. However, given the recency of his entry and the speculative nature of the relief he seeks, the Court determines that the Department has also shown by clear and convincing evidence that Respondent is such a significant flight risk that no bond or release conditions (considering both monetary and/or nonmonetary conditions) could sufficiently mitigate that risk, and the Court denies bond on this basis.

- ☐ Granted. It is ordered that Respondent be:
- ☐ released from custody on his own recognizance.
 - ☐ released from custody under bond of \$
 - ☐ other:

☐ Other:



Immigration Judge: MULLINS, KATIE 07/27/2026

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

Appeal Due: 08/26/2026

Certificate of Service

This document was served:

Via: ☐ Mail | ☐ Personal Service | ☐ Electronic Service | ☐ Address Unavailable

To: ☐ Alien | ☐ Alien c/o custodial officer | ☐ Alien atty/rep. | ☐ DHS

Respondent Name : DEL VALLE CASTRO, JOAQUIN |



Riders:

Date: 07/27/2026 By: RIVERA, SONIA, Court Staff

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Eastern District of California and is a person of such age and discretion to be competent to serve papers. She also certifies that on July 29, 2026, a copy of the NOTICE OF COMPLIANCE was served by placing said copy in a postpaid envelope addressed to the person(s) hereinafter named, at the place(s) and address(es) stated below, which is/are the last known address(es), and by depositing said envelope and contents in the United States Mail at Fresno, California.

Addressee: **Joaquin Del Valle Castro**


GOLDEN STATE ANNEX
611 Frontage Road
McFarland, CA 93250-1075

/s/ Elisa M. Rodriguez
ELISA M. RODRIGUEZ