

Angel Colina-Gonzalez

Alien No. 

Central Valley Annex

254 Taylor Avenue

McFarland, CA 93250

FILED

JUL 23 2026

CLERK, U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY  DEPUTY CLERK

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

ANGEL COLINA-GONZALEZ,

-Petitioner, *Pro Se*,

v.

WARDEN, CENTRAL VALLEY ANNEX
DETENTION FACILITY,

-Respondents.

) No.: 1:26-cv-05168-TLN-CKD P

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) Petitioner's Reply to
) Respondents' Objections

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PETITIONER'S REPLY TO RESPONDENTS' OBJECTIONS

COMES NOW ANGEL COLINA-GONZALEZ, as the Petitioner, appearing *Pro Se*, and hereby respectfully submits this Reply and asks this Honorable Court to adopt its Findings and Recommendation to Grant Petition and Order Petitioner's Release issued on June 16, 2026.

Petitioner Angel Colina-Gonzalez is an immigration detainee proceeding with a petition for writ of habeas corpus. (Doc. 1.) On July 10, 2026, the Court ordered Respondents to file an answer or motion to dismiss the petition.

Yet, Respondent does not proffer any factual or legal issues in this case that distinguish it from the Court's prior orders in *Elmer Joel M. C. v. Wofford*, No. 1:25-CV-01622-KES-CDB (HC), 2025 WL 3501200 (E.D. Cal. Dec. 6, 2025); *Clene C.D. v. Robbins*, No. 1:25-CV-01463-KES-SKO (HC), 2026 WL 84302 (E.D. Cal. Jan. 12, 2026); *Bilal A. v. Wofford*, No. 1:25-CV-

1 01715-KES-HBK (HC), 2025 WL 3648366 (E.D. Cal. Dec. 16, 2025); *W.V.S.M. v. Wofford*,
2 No. 1:25-CV-01489-KES-HBK (HC), 2025 WL 3236521 (E.D. Cal. Nov. 19, 2025), and
3 relevant cases that would justify denying the petition.

4 Respondent do not indicatc that the petition presents any significant factual or legal issues
5 that materially distinguish it from the cases identified in the Court's Findings and
6 Recommendations. However, Respondent raises the same statutory claim rejected by the Court
7 in those prior decisions.

8 As Respondent has not made any new legal arguments and have not identified any factual
9 or legal issues in this case that would distinguish it from the Court's prior decisions noted above,
10 the Court recommend the petition for writ of habeas corpus be GRANTED and Respondents be
11 ORDERED TO RELEASE Petitioner. Here, Petitioner respectfully requests for this Court to
12 adopt in full, this Court's recommendation issued on July 16, 2026.

13 Accordingly, this Court should conclude that the findings and recommendations are
14 supported by the record and proper analysis. And this Court should adopt in full its Order in the
15 findings and recommendations issued on July 16, 2026. As such, and because this case is not
16 distinguishable from the Court's prior orders in *Elmer Joel M. C. v. Wofford*, *Clene C.D. v.*
17 *Robbins*, *Bilal A. v. Wofford*, and *W.V.S.M. v. Wofford* and because Respondents failed to justify
18 denying the petition, or indicate the matter is not substantively distinguishable, this Court
19 should order Respondents to release Petitioner immediately.

20 Even more, Immigration officials previously released petitioner into the United States in
21 2023, and he was living and working in his community for more than two and a half years prior
22 to the vehicle stop that preceded his present detention on May 24, 2026. Respondent does not
23 assert petitioner has failed to comply with any conditions of release or committed any crimes.

1 Respondent does not proffer any facts suggesting petitioner is a danger to the public or a
2 flight risk. Based on the circumstance of petitioner being released into the United States where
3 he resided for a significant period of time before being re-detained without any individualized
4 hearing or consideration for release on bond, petitioner has a due process liberty interest in his
5 continued release regardless of the applicable detention scheme. *See Enriquez Escarcega,*
6 *Petitioner, v. Warden of the Golden State Annex Facility*, No. 1:26-CV-01012 DAD SCR, 2026
7 WL 480500, at *2 (E.D. Cal. Feb. 20, 2026); *Cajina v. Wofford*, No. 1:25-CV-01566-DAD-AC
8 (HC), 2025 WL 3251083, at *3 (E.D. Cal. Nov. 21, 2025).

9 The Due Process Clause protects persons in the United States from being deprived of life,
10 liberty, or property without due process of law. U.S. CONST. AMEND. V. It is firmly
11 established that these protections extend to noncitizens present in the United States. *See*
12 *Zadvydas*, 533 U.S. at 693 (“[T]he Due Process Clause applies to all ‘persons’ within the United
13 States, including [non-citizens], whether their presence here is lawful, unlawful, temporary, or
14 permanent.”); *Wong Wing v. U.S.*, 163 U.S. 228, 238 (1896) (“It must be concluded that all
15 persons within the territory of the United States are entitled to the protection guaranteed by [the
16 Fifth Amendment], and that even [non-citizens] shall not ... be deprived of life, liberty, or
17 property without due process of law.”).

18 Courts analyze procedural due process claims in two steps: the first asks whether there
19 exists a protected liberty interest under the Due Process Clause, and the second examines the
20 procedures necessary to ensure any deprivation of that protected liberty interest accords with
21 the Constitution. *See Kentucky Dep’t of Corrections v. Thompson*, 490 U.S. 454, 460 (1989).

22 Having determined petitioner has a protected liberty interest in his continued release
23 having been released into the interior of the United States by immigration officials previously,

1 the court determines the procedures necessary to ensure any deprivation of that protected liberty
2 interest accords with the Constitution.

3 Considering the first *Mathews* factor, petitioner has a significant private interest in
4 remaining free from detention. “Freedom from imprisonment—from government custody,
5 detention, or other forms of physical restraint—lies at the heart of the liberty [the Due Process]
6 Clause protects.” *Zadvydas*, 533 U.S. at 690.

7 In this case, Petitioner’s prior release into the United States and time spent living freely
8 and working for more than two and a half years creates a powerful interest for him in his
9 continued liberty. *See Doe v Becerra*, 787 F. Supp. 3d 1083, 1094 (E.D. Cal. 2025). This factor
10 favors granting the petition.

11 The second *Mathews* factor also weighs in petitioner’s favor. *See A.E. v. Andrews*, No.
12 25-cv-00107-KES-SKO, 2025 WL 1424382, at *5 (E.D. Cal. May 16, 2025) (“The risk of an
13 erroneous deprivation [of liberty] is high” when “[the petitioner] has not received any bond or
14 custody redetermination hearing.”). Civil immigration detention is “nonpunitive in purpose and
15 effect” and is justified when a noncitizen presents as a danger to the community or risk of flight.
16 *Zadvydas*, 533 U.S. at 690; *Padilla v. U.S. Immigr. & Customs Enf’t*, 704 F. Supp. 3d 1163,
17 1172 (W.D. Wash. 2023).

18 Here, there is no indication petitioner presents a danger to the community or a risk of
19 flight, and he has been detained for almost two months without receiving an individualized
20 hearing before an immigration judge where those factors could be evaluated. “[T]he probable
21 value of additional procedural safeguards” is high. *A.E.*, 2025 WL 1424382, at *5.

22 Turning to the third *Mathews* factor, the government has an interest in the steady
23 enforcement of its immigration laws but the government’s interest in re-detaining petitioner

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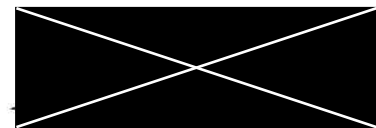
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7 **ACKNOWLEDGEMENT AND VERIFICATION**

8 Under penalty of perjury, the undersigned declares that he is the named Petitioner in the
9 foregoing petition. I have read the foregoing petition and its contents. The statements in the
10 petition are true and correct to the best of my knowledge, except as to any statements alleged
11 on information and belief, and as to those statements, I believe them to be true.

12
13 **DATED this 20th day of July, 2026.**

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17 -Petitioner, *Pro Se*

18 Angel Colina-Gonzalez

19 Alien No. A black rectangular box with a white 'X' drawn across it from corner to corner, used to redact an Alien Number.

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1 without any procedural protections is “low.” *Ortega v. Bonnar*, 415 F. Supp. 3d 963, 970 (N.D.
2 Cal. 2019); *Doe v. Becerra*, 787 F. Supp. 3d at 1094.

3 Custody hearings in immigration court are routine and impose a “minimal” cost on the
4 government. *Doe*, 787 F. Supp. 3d at 1094. “If the government wishes to re-arrest [petitioner]
5 at any point, it has the power to take steps toward doing so; but its interest in doing so without
6 [any procedural protections] is low.” *Ortega*, 415 F. Supp. 3d at 970.

7 On balance, the *Mathews* factors strongly favor petitioner and show due process required
8 that he be provided an individualized hearing prior to his re-detention. “[A] pre-deprivation
9 hearing [was] required to satisfy due process.” *Guillermo M. R. v. Kaiser*, 71 F. Supp. 3d 1021,
10 1036 (N.D. Cal. 2025). **Respondents point to no reasons why a pre-deprivation hearing**
11 **could not be held and provide no evidence warranting petitioner’s detention without an**
12 **individualized hearing.** Accordingly, the court should find petitioner’s Fifth Amendment due
13 process rights have been violated and order his immediate release from custody. The court’s
14 adoption of these findings and recommendations would resolve the pending habeas petition on
15 its merits, and no further briefing is necessary. As such, Petitioner respectfully asks this Court
16 to adopt in full its findings and recommendations and grant this habeas petition and Order
17 Respondents to immediate RELEASE Petitioner, Angel Colina-Gonzalez.

18
19 **Respectfully submitted on this 20th day of July, 2026.**

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CERTIFICATE OF SERVICE

I, Angel Colina-Gonzalez, hereby certify that on the date indicated below I served the Clerk of the Court for the United States District Court for the Eastern District of California and Respondents a true and complete copy of the foregoing documents by placing it in a pre-paid envelope and mailing it to the following address:

**Clerk, U.S. District Court for the
Eastern District of California**
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Respectfully submitted and executed on this 20th day of July, 2026.



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