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7 *Attorney for Petitioner*

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

10 Juan NAVARRO GOMEZ,

11 Petitioner,

12 v.

13 Minga WOFFORD, et al.,

14 Respondents.

CASE NO. 1:26-cv-05299-VC

**PETITIONER'S REPLY TO
RESPONDENTS' AMENDED
ANSWER, OPPOSITION TO
HABEAS PETITION AND
OPPOSITION TO TRO AND ALL
RELIEF**

1 Respondents submitted an amended answer and opposition to habeas petition and
2 opposition to TRO and all relief on July 15, 2026. Respondents argue that Petitioner is an applicant
3 for admission, and thus, is subject to mandatory detention and does not possess a right to freedom.
4 Respondents' argument lacks merit for the following reasons.

5 **Petitioner is not an applicant for admission and not subject to mandatory detention**

6 Petitioner entered the United States in or about 2023, without inspection. On or about
7 June 5, 2026, ICE detained Petitioner on his way to work, without first obtaining an arrest
8 warrant. Petitioner's detention is governed by 8 U.S.C. § 1226(a) and thus, Petitioner is not
9 subject to mandatory detention. Respondents violated § 1226(a) by not obtaining a warrant prior
10 to Respondents' detention.

11 Respondents also violated Petitioner's due process rights by detaining him without
12 providing a pre-deprivation hearing in which the government must establish, by clear and
13 convincing evidence, that Petitioner poses either a flight risk or a danger to the community.

14 **Petitioner does possess a liberty interest**

15 Petitioner has a fundamental interest in liberty and being free from official restraint. Civil
16 detention that is unrelated to a valid regulatory purpose or excessive in relation to that purpose,
17 is punitive, in violation of substantive due process. Petitioner had lived his life freely since his
18 entry in or around 2023. Petitioner possesses a strong liberty interest. The government's arrest of
19 Petitioner is untethered from any valid basis for civil immigration detention, is excessive in
20 relation to any risk that does exist, and is therefore punitive in violation of substantive due
21 process. Petitioner's continued detention is unlawful and violates due process.

22 **Conclusion**

23 For the foregoing reasons, Petitioner respectfully request that the Court grant his motion
24 for TRO and Petition for Writ of Habeas Corpus.

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1 Date: July 15, 2026

Respectfully Submitted,

/s/Connie Chan

Connie Chan

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