

ERIC GRANT
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Attorneys for Respondent

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

JUSTO ROMERO VASQUEZ,

Petitioner,

v.

WARDEN OF THE CALIFORNIA CITY
DETENTION CENTER,

Respondent.

No. 1:26-CV-05313-JLT-EGC

**MOTION AND [PROPOSED] ORDER
TO LIFT NO TRANSFER ORDER**

Respondent respectfully requests that the Court lift the order enjoining Respondent from transferring Petitioner outside of the Eastern District of California (Dkt. 6) so that Respondent can lawfully execute Petitioner's removal order.

An immigration judge ordered Petitioner removed to Honduras. Exhibit A (removal order). Petitioner did not appeal the removal order.¹ The undersigned has also confirmed that, as of the time of this filing, no timely appeal was made. Currently, there are no impediments to Petitioner's removal except this Court's no transfer order. *See also* 8 U.S.C. § 1252(g) ("[N]o court shall have jurisdiction to hear any cause or claim by or on behalf of any alien arising from the decision or action by the Attorney General to . . . execute removal orders against any alien under this chapter."). Respondent is prepared to

¹ EOIR Automated Case Information, acis.eoir.justice.gov/en, enter  and Honduras.

1 remove Petitioner in accordance with his removal order and can proceed so long as this Court's no
2 transfer order has been lifted and there are no court orders prohibiting removal. In order to effectuate
3 the removal order, Petitioner must necessarily be transferred out of the Eastern District of California.
4 Accordingly, Respondent requests that the Court promptly lift the order enjoining Respondent from
5 transferring Petitioner outside of the Eastern District of California so that Respondent can take the
6 necessary steps to effectuate removal. Once Petitioner has been removed, he will no longer be in
7 immigration detention, and this habeas case should be rendered moot.

8 Dated: July 21, 2026

Respectfully submitted,

9 ERIC GRANT
10 United States Attorney

11 By: /s/ Elisa M. Rodriguez
12 ELISA M. RODRIGUEZ
13 Assistant United States Attorney
14 Attorneys for Respondent
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EXHIBIT A

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
IMMIGRATION COURT
SAN ANTONIO, TEXAS

IN THE MATTER OF:
ROMERO-VASQUEZ, JUSTO PASTOR

DATE: Mar 21, 2018

CASE NO. 

RESPONDENT IN REMOVAL PROCEEDINGS

DECISION

Jurisdiction was established in this matter by the filing of the Notice to Appear issued by the Department of Homeland Security, with the Executive Office for Immigration Review and by service upon the respondent. See 8 C.F.R. § 1003.14(a), 103.5a.

The respondent was provided written notification of the time, date and location of the respondent's removal hearing. The respondent was also provided a written warning that failure to attend this hearing, for other than exceptional circumstances, would result in the issuance of an order of removal in the respondent's absence provided that removability was established. Despite the written notification provided, the respondent failed to appear at his/her hearing, and no exceptional circumstances were shown for his/her failure to appear. This hearing was, therefore, conducted in absentia pursuant to section 240(b)(5)(A) of the Immigration and Nationality Act.

☐ At a prior hearing the respondent admitted the factual allegations in the Notice to Appear and conceded removability. I find removability established as charged.

☒ The Department of Homeland Security submitted documentary evidence relating to the respondent which established the truth of the factual allegations contained in the Notice to Appear. I find removability established as charged.

I further find that the respondent's failure to appear and proceed with any applications for relief from removal constitutes an abandonment of any pending applications and any applications the respondent may have been eligible to file. Those applications are deemed abandoned and denied for lack of prosecution. See Matter of Pearson, 13 I&N Dec. 152 (BIA 1969); Matter of Perez, 19 I&N Dec. 433 (BIA 1987); Matter of R-R, 20 I&N Dec. 547 (BIA 1992).

ORDER: The respondent shall be removed to Honduras
on the charge(s)
contained in the Notice to Appear.


MARGARET BURKHART
Immigration Judge

cc: Assistant District Counsel

CERTIFICATE OF SERVICE - Respondent/Respondent

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THIS DOCUMENT WAS SERVED BY:

MAIL (M) PERSONAL SERVICE (P)

TO: ☒ ALIEN ☐ ALIEN c/o Custody Officer

☐ ALIEN'S ATT/REP ☒ DHS

DATE: 3/21/18

COURT STAFF TH

Attachments: ☐ Eoir33 ☐ Eoir28

Legal Services List ☐ Other ☐

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 21, 2026, a copy of the MOTION AND [PROPOSED] ORDER TO LIFT NO TRANSFER ORDER 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: **Justo Romero-Vasquez**


CALIFORNIA CITY (ICE)
P.O. Box 2513
22844 Virginia Boulevard
California City, CA 93505

/s/ Elisa M. Rodriguez
ELISA M. RODRIGUEZ