

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA  
CIVIL COVER SHEET

|                                                                                                                                                                                                                                                                                  |                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>I. (a) PLAINTIFFS</b> ( Check box if you are representing yourself <input type="checkbox"/> )<br><br>Felix Cruz Sanchez                                                                                                                                                       | <b>DEFENDANTS</b> ( Check box if you are representing yourself <input type="checkbox"/> )<br><br>Ernesto Santacruz Jr.   Todd M. Lyons   Kristi Noem   Pam Bondi |
| (b) County of Residence of First Listed Plaintiff <u>Riverside</u><br>(EXCEPT IN U.S. PLAINTIFF CASES)                                                                                                                                                                           | County of Residence of First Listed Defendant _____<br>(IN U.S. PLAINTIFF CASES ONLY)                                                                            |
| (c) Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.<br>Carolina C. Gomez & Mher Cholakhyan<br>The Law Office of Carolina C. Gomez   T: 323-763-9877<br>3580 Wilshire Blvd Suite 1420, Los Angeles, CA, 90010 | Attorneys (Firm Name, Address and Telephone Number) If you are representing yourself, provide the same information.                                              |

| <b>II. BASIS OF JURISDICTION</b> (Place an X in one box only.)<br><br><input type="checkbox"/> 1. U.S. Government Plaintiff<br><input checked="" type="checkbox"/> 2. U.S. Government Defendant<br><input type="checkbox"/> 3. Federal Question (U.S. Government Not a Party)<br><input type="checkbox"/> 4. Diversity (Indicate Citizenship of Parties in Item III) | <b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b> —For Diversity Cases Only<br>(Place an X in one box for plaintiff and one for defendant)<br><table border="1"><thead><tr><th></th><th>PTF</th><th>DEF</th><th></th><th>PTF</th><th>DEF</th></tr></thead><tbody><tr><td>Citizen of This State</td><td><input type="checkbox"/> 1</td><td><input type="checkbox"/> 1</td><td>Incorporated or Principal Place of Business in this State</td><td><input type="checkbox"/> 4</td><td><input type="checkbox"/> 4</td></tr><tr><td>Citizen of Another State</td><td><input type="checkbox"/> 2</td><td><input checked="" type="checkbox"/> 2</td><td>Incorporated and Principal Place of Business in Another State</td><td><input type="checkbox"/> 5</td><td><input type="checkbox"/> 5</td></tr><tr><td>Citizen or Subject of a Foreign Country</td><td><input type="checkbox"/> 3</td><td><input type="checkbox"/> 3</td><td>Foreign Nation</td><td><input type="checkbox"/> 6</td><td><input type="checkbox"/> 6</td></tr></tbody></table> |                                       | PTF                                                           | DEF                        |                            | PTF | DEF | Citizen of This State | <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | Incorporated or Principal Place of Business in this State | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 | Citizen of Another State | <input type="checkbox"/> 2 | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 | Citizen or Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------|---------------------------------------------------------------|----------------------------|----------------------------|-----|-----|-----------------------|----------------------------|----------------------------|-----------------------------------------------------------|----------------------------|----------------------------|--------------------------|----------------------------|---------------------------------------|---------------------------------------------------------------|----------------------------|----------------------------|-----------------------------------------|----------------------------|----------------------------|----------------|----------------------------|----------------------------|
|                                                                                                                                                                                                                                                                                                                                                                      | PTF                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | DEF                                   |                                                               | PTF                        | DEF                        |     |     |                       |                            |                            |                                                           |                            |                            |                          |                            |                                       |                                                               |                            |                            |                                         |                            |                            |                |                            |                            |
| Citizen of This State                                                                                                                                                                                                                                                                                                                                                | <input type="checkbox"/> 1                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/> 1            | Incorporated or Principal Place of Business in this State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |     |     |                       |                            |                            |                                                           |                            |                            |                          |                            |                                       |                                                               |                            |                            |                                         |                            |                            |                |                            |                            |
| Citizen of Another State                                                                                                                                                                                                                                                                                                                                             | <input type="checkbox"/> 2                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input checked="" type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |     |     |                       |                            |                            |                                                           |                            |                            |                          |                            |                                       |                                                               |                            |                            |                                         |                            |                            |                |                            |                            |
| Citizen or Subject of a Foreign Country                                                                                                                                                                                                                                                                                                                              | <input type="checkbox"/> 3                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <input type="checkbox"/> 3            | Foreign Nation                                                | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |     |     |                       |                            |                            |                                                           |                            |                            |                          |                            |                                       |                                                               |                            |                            |                                         |                            |                            |                |                            |                            |

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| <b>IV. ORIGIN</b> (Place an X in one box only.)<br><input checked="" type="checkbox"/> 1. Original Proceeding<br><input type="checkbox"/> 2. Removed from State Court<br><input type="checkbox"/> 3. Remanded from Appellate Court<br><input type="checkbox"/> 4. Reinstated or Reopened<br><input type="checkbox"/> 5. Transferred from Another District (Specify) _____<br><input type="checkbox"/> 6. Multidistrict Litigation - Transfer<br><input type="checkbox"/> 8. Multidistrict Litigation - Direct File |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**V. REQUESTED IN COMPLAINT: JURY DEMAND:** ☐ Yes ☒ No (Check "Yes" only if demanded in complaint.)**CLASS ACTION under F.R.Cv.P. 23:** ☐ Yes ☒ No **MONEY DEMANDED IN COMPLAINT: \$** \_\_\_\_\_**VI. CAUSE OF ACTION** (Cite the U.S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)  
REAL ID Act of 2005, Pub. L. No. 109-13, 119 Stat. 231 (May 11, 2005)Does this case involve claimed Lemon Law violations of the federal Magnuson-Moss Warranty Act and/or the California Song-Beverly Consumer Warranty Act? YES NO ☒**VII. NATURE OF SUIT** (Place an X in one box only.)

| OTHER STATUTES                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | CONTRACT                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | REAL PROPERTY CONT.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | IMMIGRATION                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | PRISONER PETITIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | PROPERTY RIGHTS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------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| <input type="checkbox"/> 375 False Claims Act<br><input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))<br><input type="checkbox"/> 400 State Reapportionment<br><input type="checkbox"/> 410 Antitrust<br><input type="checkbox"/> 430 Banks and Banking<br><input type="checkbox"/> 450 Commerce/ICC Rates/Etc.<br><input type="checkbox"/> 460 Deportation<br><input type="checkbox"/> 470 Racketeer Influenced & Corrupt Org.<br><input type="checkbox"/> 480 Consumer Credit<br><input type="checkbox"/> 485 Telephone Consumer Protection Act<br><input type="checkbox"/> 490 Cable/Sat TV<br><input type="checkbox"/> 850 Securities/Commodities/Exchange<br><input type="checkbox"/> 890 Other Statutory Actions<br><input type="checkbox"/> 891 Agricultural Acts<br><input type="checkbox"/> 893 Environmental Matters<br><input type="checkbox"/> 895 Freedom of Info. Act<br><input type="checkbox"/> 896 Arbitration<br><input type="checkbox"/> 899 Admin. Procedures Act/Review of Appeal of Agency Decision<br><input type="checkbox"/> 950 Constitutionality of State Statutes | <input type="checkbox"/> 110 Insurance<br><input type="checkbox"/> 120 Marine<br><input type="checkbox"/> 130 Miller Act<br><input type="checkbox"/> 140 Negotiable Instrument<br><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment<br><input type="checkbox"/> 151 Medicare Act<br><input type="checkbox"/> 152 Recovery of Defaulted Student Loan (Excl. Vet.)<br><input type="checkbox"/> 153 Recovery of Overpayment of Vet. Benefits<br><input type="checkbox"/> 160 Stockholders' Suits<br><input type="checkbox"/> 190 Other Contract<br><input type="checkbox"/> 195 Contract Product Liability<br><input type="checkbox"/> 196 Franchise<br><b>REAL PROPERTY</b><br><input type="checkbox"/> 210 Land Condemnation<br><input type="checkbox"/> 220 Foreclosure<br><input type="checkbox"/> 230 Rent Lease & Ejectment | <input type="checkbox"/> 240 Torts to Land<br><input type="checkbox"/> 245 Tort Product Liability<br><input type="checkbox"/> 290 All Other Real Property<br><b>TORTS</b><br><b>PERSONAL INJURY</b><br><input type="checkbox"/> 310 Airplane<br><input type="checkbox"/> 315 Airplane Product Liability<br><input type="checkbox"/> 320 Assault, Libel & Slander<br><input type="checkbox"/> 330 Fed. Employers' Liability<br><input type="checkbox"/> 340 Marine<br><input type="checkbox"/> 345 Marine Product Liability<br><input type="checkbox"/> 350 Motor Vehicle<br><input type="checkbox"/> 355 Motor Vehicle Product Liability<br><input type="checkbox"/> 360 Other Personal Injury<br><input type="checkbox"/> 362 Personal Injury-Med Malpractice<br><input type="checkbox"/> 365 Personal Injury-Product Liability<br><input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability<br><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability | <input type="checkbox"/> 462 Naturalization Application<br><input type="checkbox"/> 465 Other Immigration Actions<br><b>TORTS</b><br><b>PERSONAL PROPERTY</b><br><input type="checkbox"/> 370 Other Fraud<br><input type="checkbox"/> 371 Truth in Lending<br><input type="checkbox"/> 380 Other Personal Property Damage<br><input type="checkbox"/> 385 Property Damage Product Liability<br><b>BANKRUPTCY</b><br><input type="checkbox"/> 422 Appeal 28 USC 158<br><input type="checkbox"/> 423 Withdrawal 28 USC 157<br><b>CIVIL RIGHTS</b><br><input type="checkbox"/> 440 Other Civil Rights<br><input type="checkbox"/> 441 Voting<br><input type="checkbox"/> 442 Employment<br><input type="checkbox"/> 443 Housing/Accommodations<br><input type="checkbox"/> 445 American with Disabilities-Employment<br><input type="checkbox"/> 446 American with Disabilities-Other<br><input type="checkbox"/> 448 Education | <b>Habeas Corpus:</b><br><input checked="" type="checkbox"/> 463 Alien Detainee<br><input type="checkbox"/> 510 Motions to Vacate Sentence<br><input type="checkbox"/> 530 General<br><input type="checkbox"/> 535 Death Penalty<br><b>Other:</b><br><input type="checkbox"/> 540 Mandamus/Other<br><input type="checkbox"/> 550 Civil Rights<br><input type="checkbox"/> 555 Prison Condition<br><input type="checkbox"/> 560 Civil Detainee Conditions of Confinement<br><b>FORFEITURE/PENALTY</b><br><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881<br><input type="checkbox"/> 690 Other<br><b>LABOR</b><br><input type="checkbox"/> 710 Fair Labor Standards Act<br><input type="checkbox"/> 720 Labor/Mgmt. Relations<br><input type="checkbox"/> 740 Railway Labor Act<br><input type="checkbox"/> 751 Family and Medical Leave Act<br><input type="checkbox"/> 790 Other Labor Litigation<br><input type="checkbox"/> 791 Employee Ret. Inc. Security Act | <input type="checkbox"/> 820 Copyrights<br><input type="checkbox"/> 830 Patent<br><input type="checkbox"/> 835 Patent - Abbreviated New Drug Application<br><input type="checkbox"/> 840 Trademark<br><input type="checkbox"/> 880 Defend Trade Secrets Act of 2016 (DTSA)<br><b>SOCIAL SECURITY</b><br><input type="checkbox"/> 861 HIA (1395ff)<br><input type="checkbox"/> 862 Black Lung (923)<br><input type="checkbox"/> 863 DIWC/DIWW (405 (g))<br><input type="checkbox"/> 864 SSID Title XVI<br><input type="checkbox"/> 865 RSI (405 (g))<br><b>FEDERAL TAX SUITS</b><br><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)<br><input type="checkbox"/> 871 IRS-Third Party 26 USC 7609 |

**FOR OFFICE USE ONLY:** Case Number: \_\_\_\_\_

#2  
**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

**VIII. VENUE:** Your answers to the questions below will determine the division of the Court to which this case will be initially assigned. This initial assignment is subject to change, in accordance with the Court's General Orders, upon review by the Court of your Complaint or Notice of Removal.

|                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                             |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| <b>QUESTION A: Was this case removed from state court?</b><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><br>If "no," skip to Question B. If "yes," check the box to the right that applies, enter the corresponding division in response to Question E, below, and continue from there.                              | <b>STATE CASE WAS PENDING IN THE COUNTY OF:</b><br><input type="checkbox"/> Los Angeles, Ventura, Santa Barbara, or San Luis Obispo<br><input type="checkbox"/> Orange<br><input checked="" type="checkbox"/> Riverside or San Bernardino                                                                                                                                                           | <b>INITIAL DIVISION IN CACD IS:</b><br>Western<br>Southern<br>Eastern                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                             |
| <b>QUESTION B: Is the United States, or one of its agencies or employees, a PLAINTIFF in this action?</b><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><br>If "no," skip to Question C. If "yes," answer Question B.1, at right.                                                                                     | <b>B.1.</b> Do 50% or more of the defendants who reside in the district reside in Orange Co?<br><br><i>check one of the boxes to the right</i> →<br><br><b>B.2.</b> Do 50% or more of the defendants who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.)<br><br><i>check one of the boxes to the right</i> →                       | YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there.<br><input checked="" type="checkbox"/> YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there.<br><input checked="" type="checkbox"/> NO. Continue to Question B.2.<br>YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there.<br><input checked="" type="checkbox"/> YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there.<br>NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there.<br><input type="checkbox"/> NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there. |                                                                             |
| <b>QUESTION C: Is the United States, or one of its agencies or employees, a DEFENDANT in this action?</b><br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br><br>If "no," skip to Question D. If "yes," answer Question C.1, at right.                                                                                     | <b>C.1.</b> Do 50% or more of the plaintiffs who reside in the district reside in Orange Co?<br><br><i>check one of the boxes to the right</i> →<br><br><b>C.2.</b> Do 50% or more of the plaintiffs who reside in the district reside in Riverside and/or San Bernardino Counties? (Consider the two counties together.)<br><br><i>check one of the boxes to the right</i> →                       | YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there.<br><input checked="" type="checkbox"/> YES. Your case will initially be assigned to the Southern Division. Enter "Southern" in response to Question E, below, and continue from there.<br><input type="checkbox"/> NO. Continue to Question C.2.<br>YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there.<br><input type="checkbox"/> YES. Your case will initially be assigned to the Eastern Division. Enter "Eastern" in response to Question E, below, and continue from there.<br>NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there.<br><input type="checkbox"/> NO. Your case will initially be assigned to the Western Division. Enter "Western" in response to Question E, below, and continue from there.                       |                                                                             |
| <b>QUESTION D: Location of plaintiffs and defendants?</b>                                                                                                                                                                                                                                                                                         | <b>A.</b><br>Orange County                                                                                                                                                                                                                                                                                                                                                                          | <b>B.</b><br>Riverside or San Bernardino County                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>C.</b><br>Los Angeles, Ventura, Santa Barbara, or San Luis Obispo County |
| Indicate the location(s) in which 50% or more of <i>plaintiffs who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.)                                                                                                                                                                    | <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                            | <input checked="" type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <input type="checkbox"/>                                                    |
| Indicate the location(s) in which 50% or more of <i>defendants who reside in this district</i> reside. (Check up to two boxes, or leave blank if none of these choices apply.)                                                                                                                                                                    | <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                            | <input type="checkbox"/>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <input type="checkbox"/>                                                    |
| <b>D.1. Is there at least one answer in Column A?</b><br><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><br>If "yes," your case will initially be assigned to the SOUTHERN DIVISION.<br><br>Enter "Southern" in response to Question E, below, and continue from there.<br><br>If "no," go to question D2 to the right. → | <b>D.2. Is there at least one answer in Column B?</b><br><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br><br>If "yes," your case will initially be assigned to the EASTERN DIVISION.<br><br>Enter "Eastern" in response to Question E, below.<br><br>If "no," your case will be assigned to the WESTERN DIVISION.<br><br>Enter "Western" in response to Question E, below. ↓ |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                             |
| <b>QUESTION E: Initial Division?</b><br><br>Enter the initial division determined by Question A, B, C, or D above: → Eastern                                                                                                                                                                                                                      | <b>INITIAL DIVISION IN CACD</b><br><br>Eastern                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                             |
| <b>QUESTION F: Northern Counties?</b><br><br>Do 50% or more of plaintiffs or defendants in this district reside in Ventura, Santa Barbara, or San Luis Obispo counties? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                             |

#3  
**UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA**  
**CIVIL COVER SHEET**

**IX(a). IDENTICAL CASES:** Has this action been previously filed in this court?

NO



YES

If yes, list case number(s): \_\_\_\_\_

**IX(b). RELATED CASES:** Is this case related (as defined below) to any civil or criminal case(s) previously filed in this court?

NO



YES

If yes, list case number(s): \_\_\_\_\_

**If yes, you must file a Notice of Related Cases. See Local Rule 83-1.3.****Civil cases** are related when they (check all that apply):

- ☐ A. Arise from the same or a closely related transaction, happening, or event;
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. For other reasons would entail substantial duplication of labor if heard by different judges.

Note: That cases may involve the same patent, trademark, or copyright is not, in itself, sufficient to deem cases related.

**A civil forfeiture case and a criminal case** are related when they (check all that apply):

- ☐ A. Arise from the same or a closely related transaction, happening, or event;
- ☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
- ☐ C. Involve one or more defendants from the criminal case in common and would entail substantial duplication of labor if heard by different judges.

**X. STATEWIDE OR NATIONWIDE RELIEF:** Does this case seek to bar or mandate enforcement of a state or federal law and seek declaratory or injunctive relief on a statewide or nationwide basis?

NO



YES

**If yes, see Local Rule 83-11 for additional requirements.****XI. SIGNATURE OF ATTORNEY****(OR SELF-REPRESENTED LITIGANT):**

/s/ Carolina C. Gomez

DATE: 8/19/25

**Notice to Counsel/Parties:** The submission of this Civil Cover Sheet is required by Local Rule 3-1. This Form CV-71 and the information contained herein neither replaces nor supplements the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. For more detailed instructions, see separate instruction sheet (CV-071A).

Key to Statistical codes relating to Social Security Cases:

| Nature of Suit Code | Abbreviation | Substantive Statement of Cause of Action                                                                                                                                                                                                                                     |
|---------------------|--------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 861                 | HIA          | All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b)) |
| 862                 | BL           | All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)                                                                                                                                          |
| 863                 | DIWC         | All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405 (g))                                                    |
| 863                 | DIWW         | All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))                                                                                                                     |
| 864                 | SSID         | All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.                                                                                                                                      |
| 865                 | RSI          | All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405 (g))                                                                                                                                         |

1 **The Law Office of Carolina C. Gomez**  
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8 Attorney for Petitioner,  
9 Felix Cruz Sanchez,

10 **UNITED STATES DISTRICT COURT**  
11 **CENTRAL DISTRICT OF CALIFORNIA**  
12 **EASTERN DIVISION**

13 **FELIX CRUZ SANCHEZ,**  
14 Petitioner,

Case No. 25-2172

15 Ernesto Santacruz Jr., Acting Field Office Director,  
16 Los Angeles Field Office  
17 U.S. Immigration and Customs Enforcement;  
18 Madison Sheahan, Deputy Director  
19 U.S. Immigration and Customs Enforcement;  
20 Kristi Noem, Secretary of the U.S. Department of  
21 Homeland Security, and Pam Bondi,  
22 Attorney General of the United States,  
23 in their official capacities,  
24 Respondents.

25 **PETITION FOR WRIT OF**  
26 **HABEAS CORPUS**  
27 **AND DECLARATORY**  
28 **AND INJUNCTIVE**  
**RELIEF**

**INTRODUCTION**

1. Petitioner, Felix Cruz Sanchez ("Petitioner"), A# [REDACTED], by and through his undersigned counsel, respectfully petitions this Honorable Court for writ of habeas corpus to review, the lawfulness and injunctive relief, requesting that the Court find that the regulation at 8 C.F.R. § 1003.19(i)(2), the basis for his custody, is unconstitutional. Petitioner, Felix Cruz Sanchez, A# [REDACTED], brings this Petition for Writ of Habeas

Corpus to challenge his unlawful detention by U.S. Immigration and Customs Enforcement (ICE). Mr. Cruz has been in ICE custody since June 12, 2025.

2. On July 16, 2025, an Immigration Judge (IJ) ordered Mr. Cruz's release on a \$5,000 bond after a custody redetermination hearing. The Department of Homeland Security (DHS) filed a Notice of ICE Intent to Appeal Custody Redetermination (Form EOIR-43) on July 17, 2025, which automatically stayed the IJ's decision. This stay was valid for ten business days. The EOIR-43 form explicitly states that the stay will lapse if ICE does not file a notice of appeal within ten business days of the IJ's order. More than ten business days have passed since the IJ's decision, and DHS has not filed an appeal. Despite the lapse of the stay and the posting of the \$5,000 bond, ICE continues to detain Mr. Cruz unlawfully.

3. Several other district courts have reached the conclusion that such custody is unconstitutional. *See, e.g., Zavala v. Ridge*, 310 F. Supp. 2d 1071, 1076-79 (N.D. Cal. 2004); *Ashley v. Ridge*, 288 F. Supp. 2d 662, 675 (D.N.J. 2003); *Uritsky v. Ridge*, 286 F. Supp. 2d 842, 846-47 (E.D. Mich. 2003); *Bezmen v. Ashcroft*, 245 F. Supp. 2d 446, 450 (D. Conn. 2003). *But see, e.g., Hussain v. Gonzales*, 492 F. Supp. 2d 1024 (D. Wis. 2007); *Pisciotta v. Ashcroft*, 311 F. Supp. 2d 445 (D.N.J. 2004). The Petitioner seeks a further finding that 8 C.F.R. § 1003.19(i)(2) is ultra vires to the statute. *See, e.g., Zavala*, 310 F. Supp. 2d at 1079. Therefore, this Court should order Petitioner's immediate release from custody, given that the \$5,000 bond set by the Immigration Judge has already been posted.

### **JURISDICTION**

- 1 4. This action arises under the Constitution of the United States, the Immigration and  
2 Nationality Act (“INA”), 8 U.S.C. §§ 1101 et seq., and the Administrative Procedure Act  
3 (“APA”), 5 U.S.C. §§ 701 et seq. This Court has habeas corpus jurisdiction pursuant to  
4 28 U.S.C. §§ 2241 et seq.; Art. I, § 9, Cl. 2 of the United States Constitution (the  
5 “Suspension Clause”), and 28 U.S.C. § 1331, as Petitioner is presently in custody under  
6 the color of the authority of the United States, and such custody is in violation of the  
7 Constitution, laws, or treaties of the United States. *See Zadvydas v. Davis*, 533 U.S. 678  
8 (2001). This Court may grant relief pursuant to the Declaratory Judgment Act, 28 U.S.C.  
9 §§ 2201 et seq., and the All Writs Act, 28 U.S.C. § 1651.  
10  
11 5. Use of the Writ of Habeas Corpus to challenge detention by U.S. Immigration and  
12 Customs Enforcement (“ICE”) is available after the REAL ID Act of 2005, Pub. L. No.  
13 109-13, 119 Stat. 231 (May 11, 2005) (“REAL ID Act”). Section 106(c) of Title I of the  
14 REAL ID Act, amending INA § 242(a)(2)(A), (B), and (C), and § 242(g), although  
15 limiting habeas jurisdiction, applies only to those challenges to a “final administrative  
16 order of removal.” *Nnadika v. Att’y Gen. of the United States*, 484 F.3d 626, 632 (3d Cir.  
17 2007) (holding that the proper venue for a habeas petition challenging detention remains  
18 with the district court); *see also INS v. St. Cyr*, 533 U.S. 289, 314 (2001) (“The writ of  
19 habeas corpus has always been available to review the legality of executive detention.”);  
20 *Waffi v. Loiselle*, 527 F. Supp. 2d 480, 483-85 (E.D. Va. 2007).  
21  
22 6. Petitioner has exhausted his administrative remedies to the extent required by law, and  
23 his only remedy is by way of this judicial action. This Court has held that “exhaustion is  
24 not required when a Petitioner challenges conditions imposed upon bond.” *Galvez v.*  
25 *Lewis*, 56 F. Supp. 2d 637, 644 (E.D. Va. 1999); *see also Sengkeo v. Horgan*, 670 F.  
26  
27  
28

1 Supp. 2d 116, 121-23 (D. Mass. 2009). Moreover, Petitioner has no viable administrative  
2 review available. Immigration Judge William David Neumeister, sitting in Adelanto,  
3 California, ordered Petitioner released on bond on July 16, 2025. In response, ICE  
4 invoked the automatic stay provision of 8 C.F.R. § 1003.19(i)(2). This regulation  
5 purports to empower ICE attorneys with the authority to trump an Immigration Judge's  
6 bond determination and keeps Petitioner in custody for the duration of ICE's appeal of  
7 the Immigration Judge's decision to the Board of Immigration Appeals ("BIA"). As there  
8 is no adverse decision against Petitioner and his custody was only being maintained by  
9 the administratively unreviewable automatic stay provision of 8 C.F.R. § 1003.19(i)(2),  
10 the administrative process did not afford relief for Petitioner. However, the automatic  
11 stay provision lapsed after ten (10) business days. In the meantime, the Department of  
12 Homeland Security did not file an appeal. Nonetheless, Petitioner continued to remain  
13 in custody. Thus, pursuit of administrative remedies is futile. *See Sengkeo*, 670 F. Supp.  
14 2d at 123 (holding that "futility excuses [petitioner's] failure to exhaust her  
15 administrative remedies.").

#### 20 VENUE

- 21 7. Venue is proper with this Court pursuant to 18 U.S.C. § 1391(e) because Respondents  
22 are employees or officers of the United States or under contract with the United States,  
23 acting in their official capacity, and an agency of the United States, and Petitioner is  
24 under their control; because Petitioner is detained by ICE in Riverside and processed in  
25 San Bernardino, which is under the jurisdiction of this District; because a substantial part  
26 of the events or omissions giving rise to the claim occurred in this District; and because  
27  
28

1 the government's decision to hold Petitioner in custody and his administrative  
2 proceedings occurred in this District.

3  
4 **PARTIES**

5  
6 8. Petitioner, Felix Cruz Sanchez, is a native and citizen of Mexico, who has been residing  
7 in the U.S. for close to twenty years. He is currently in custody in Adelanto, California.  
8 On July 16, 2025, the Petitioner was ordered released from custody by a United States  
9 Immigration Judge on a \$5,000 bond. Petitioner's family posted the bond.

10  
11 9. Respondent, Ernesto Santacruz Jr., is the Acting Field Office Director at the U.S.  
12 Immigration and Customs Enforcement, Los Angeles Field Office. ICE is the component  
13 of the Department of Homeland Security ("DHS") responsible for detaining and  
14 removing aliens according to U.S. immigration law. In his official capacity, he is the  
15 legal custodian of Petitioner.

16  
17 10. Respondent, Todd M. Lyons, is the Acting Director of the U.S. Immigration and Customs  
18 Enforcement. In his official capacity, he is the legal custodian of Petitioner.

19  
20 11. Respondent, Kristi Noem, is the Secretary of the U.S. Department of Homeland Security.  
21 She is responsible for the administration of ICE and the enforcement of INA. In her  
22 official capacity, she is the legal custodian of Petitioner.

23  
24 12. Respondent, Pam Bondi is the Attorney General of the United States. She is responsible  
25 for administration of the Executive Office of Immigration Review, which includes the  
26 U.S. Immigration Courts and the BIA.

27 **STATEMENT OF FACTS**  
28

13. The Petitioner is a native and citizen of Mexico. He has been residing in the U.S. for almost twenty years. He is a father to a nine (9) year old U.S. citizen daughter. He resided in Riverside, California, prior to his detention. Throughout his prolonged stay in the U.S., Petitioner has not incurred any convictions or arrests.

14. The Petitioner has been held in ICE custody since June 12, 2025. On July 16, 2025, an Immigration Judge at the Adelanto Immigration Court granted Mr. Cruz's request for a change in custody status. The IJ ordered Mr. Cruz to be released from custody on a bond of \$5,000.00. On July 17, 2025, however, DHS Counsel Mark Ude filed a "Notice of ICE Intent to Appeal Custody Redetermination" (Form EOIR-43), which automatically stayed the IJ's custody redetermination decision.

15. The EOIR-43 form specifies that the stay lapses if ICE does not file a notice of appeal within ten business days of the IJ's order. The IJ's order was issued on July 16, 2025. The ten-business day period for ICE to file an appeal expired on or about July 30, 2025.

16. As of today's date, DHS has not filed an appeal, and the stay has lapsed. The \$5,000 bond ordered by the IJ has been posted. Nonetheless, Petitioner remains in custody.

17. Petitioner, through undersigned counsel, has reached out to Deportation Officers Heard and Smith, at Adelanto, California field office, as well Los Angeles field office via email, to inquire about ICE's failure to release the Petitioner. However, no answer has been provided.

### **CAUSES OF ACTION**

#### **COUNT ONE (SUBSTANTIVE DUE PROCESS)**

1 18. The allegations contained in paragraphs 1 through 17 above are repeated and realleged as  
2 though fully set forth herein.

3 19. All persons residing in the United States are protected by the Due Process Clause of the  
4 Fifth Amendment. *See Zadvydas v. Davis*, 533 U.S. 678, 693-94 (2001); *Plyler v. Doe*,  
5 457 U.S. 202, 210 (1987); *Mathews v. Diaz*, 426 U.S. 67 (1976); *Yamataya v. Fisher*, 189  
6 U.S. 86 (1903); *see also Rusu v. INS*, 296 F.3d 316, 321-22 (4th Cir. 2002); *Wilson v.*  
7 *Zeithern*, 265 F. Supp. 2d 628, 634 (E.D. Va. 2003) (noting that “aliens who have entered  
8 the country through proper channels and have been granted legal permanent resident  
9 status ... therefore enjoy a more robust liberty interest under the Due Process Clause”).

10 20. The Due Process Clause of the Fifth Amendment provides that “[n]o person shall be ...  
11 deprived of life, liberty or property, without due process of law.” U.S. Const. amend. V.  
12 “Freedom from bodily restraint has always been at the core of the liberty protected by the  
13 Due Process clause from arbitrary government action.” *Foucha v. Louisiana*, 504 U.S.  
14 71, 80 (1992); *Youngberg v. Romeo*, 457 U.S. 307 (1982). This vital liberty interest is at  
15 stake when an individual is subject to detention by ICE. *See Zadvydas*, 533 U.S. at 690  
16 (“A statute permitting indefinite detention of an alien would raise a serious constitutional  
17 problem.”); *Kiareldeen v. Reno*, 71 F.Supp.2d 402, 409-10 (D.N.J. 1999) (holding that, in  
18 analyzing due process in the immigration context, the first factor in the procedural due  
19 process analysis, “the petitioner’s private interest in his physical liberty, must be  
20 accorded the utmost weight”).

21 21. Petitioner’s continued detention violates substantive due process by depriving him of his  
22 fundamental liberty interest in remaining free from detention. Government detention  
23 violates an individual’s fundamental liberty interest unless the detention is “narrowly  
24  
25  
26  
27  
28

1 tailored to serve a compelling government interest.” *Reno v. Flores*, 507 U.S. 292, 302  
2 (1993); *Collins v. Harker Heights*, 503 U.S. 115, 125 (1992). Non-punitive detention  
3 must present a “special justification” that “outweighs the individual’s constitutionally  
4 protected interest in avoiding physical restraint.” *Zadvydas*, 533 U.S. at 690. No such  
5 special justification exists in Petitioner’s case, as an IJ considered and granted  
6 Petitioner’s request for custody redetermination.  
7

8 22. The automatic stay provision at 8 C.F.R. § 1003.19(i)(2), which allowed ICE to override  
9 the independent judgment of an IJ, lapsed ten (10) business days following the IJ’s  
10 custody redetermination decision. DHS never appealed the IJ’s decision. Therefore,  
11 continued detention at this point pursuant to the regulation violates Petitioner’s due  
12 process rights. *See Zavala*, 310 F. Supp. 2d at 1077; *Ashley*, 288 F. Supp. 2d at 669;  
13 *Uritsky*, 268 F. Supp. 2d at 846-47; *Bezmen*, 245 F. Supp. 2d at 451. But see *Hussain*,  
14 492 F. Supp. 2d at 1031-32; *Pisciotta*, 311 F. Supp. 2d at 455.  
15  
16

17  
18 **COUNT TWO**  
19 **(PROCEDURAL DUE PROCESS)**  
20

21 23. The allegations contained in paragraphs 1 through 22 above are repeated and realleged as  
22 though fully set forth herein.

23 24. Under the Due Process Clause, a foreign national is entitled to be heard at a meaningful  
24 time and in a meaningful manner before deprivation of liberty occurs. *Matthews v.*  
25 *Eldridge*, 424 U.S. 319, 334 (1976). The process that is due depends on the private  
26 interest affected by the official action, the risk of erroneous deprivation of that interest,  
27 the value of additional or substitute procedural safeguards, and the government’s interest,  
28

1 including fiscal and administrative burdens that additional or substitute procedural  
2 requirements would impose. *Id.* at 335.

3  
4 25. In the case at bar, procedural due process requires a custody hearing before an  
5 independent and impartial adjudicator, not simply by an ICE employee. *See Morrissey v.*  
6 *Brewer*, 408 U.S. 471, 486-87 (1972); *Marcello v. Bonds*, 39 U.S. 302, 307 (1955);  
7 *Castro-Cortez v. INS*, 239 F.3d 1037 (9th Cir. 2001); *Cabrera-Rojas v. Reno*, 999 F.  
8 Supp. 493, 496-97 (S.D.N.Y. 1998); *Ekekhon v. Aljets*, 979 F. Supp. 640 (N.D. Ill. 1997);  
9 *St. John v. McElroy*, 917 F. Supp. 243, 249-51 (S.D.N.Y. 1996); *cf. Kiareldeen*,  
10 71 F. Supp. 2d at 418-19 (holding that “access to a neutral judge [is] one of the „most basic  
11 of due process protections”” (quoting *Marincas v. Lewis*, 92 F.3d 195, 203 (3d Cir.  
12 1996))).

13  
14 26. The private interest affected by the continued detention after the expiration of the  
15 automatic stay is of the highest importance, namely, a fundamental liberty interest in  
16 being free from physical restraint. Moreover, the risk of erroneous deprivation of liberty  
17 is great in light of the fact that Petitioner is not subject to mandatory detention under INA  
18 § 236(c), and an IJ has held a full hearing, considered the arguments and evidence  
19 presented by both Petitioner and the government, and determined that Petitioner should  
20 be released on bond.  
21  
22

### 23 IRREPARABLE INJURY

24  
25 27. Petitioner is suffering and will continue to suffer irreparable injury because of  
26 Respondents’ actions. Every day that he is held in custody he suffers further injury,  
27 which is irreparable.  
28

**EXHAUSTION OF ADMINISTRATIVE REMEDIES**

28. Petitioner has exhausted his administrative remedies to the extent required by law, and the only remedy available to him is by way of this judicial action.

**EQUAL ACCESS TO JUSTICE ACT**

29. If he prevails, Petitioner will seek attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 5 U.S.C. § 504 and 28 U.S.C. § 2412.

**PRAYER FOR RELIEF**

PRAYER FOR RELIEF WHEREFORE, the Petitioner prays that this Honorable Court grant the following relief:

1. Assume jurisdiction over this matter;
2. Grant Petitioner a writ of habeas corpus directing Respondents to immediately release Petitioner from custody pursuant to the terms set forth by the Immigration Judge in his decision;
3. Grant attorney's fees and costs of court to Petitioner under the Equal Access to Justice Act ("EAJA"); and
4. Grant such other and further relief as this Honorable Court deems just and proper.

Respectfully submitted 19<sup>th</sup> day of August 2025

By counsel,

/s/ Carolina C. Gomez  
Carolina C. Gomez  
CA State Bar: 266390