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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

Homero GARCIA,

Petitioner,

v.

Kristi NOEM, Secretary, Department of
Homeland Security; Pam BONDI, Attorney
General; EXECUTIVE OFFICE FOR
IMMIGRATION REVIEW; Todd LYONS,
Executive Associate Director of ICE
Enforcement and Removal
Operations (ERO); and David A. MARIN,
Adelanto Immigration and Customs
Field Office Director,

Respondents.

Civil Case No.:

2:25-cv-09474-KK-AS

**PETITIONER'S REPLY
TO RESPONDENTS'
OPPOSITION TO
CONTINUANCE
OF PRELIMINARY
INJUNCTION**

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**PETITIONER'S REPLY TO RESPONDENTS' OPPOSITION
TO CONTINUANCE OF PRELIMINARY INJUNCTION**

Homero GARCIA (hereinafter, "Petitioner"), through his attorney of record, Jose R. Jordan, Esq. (hereinafter, "Present Counsel"), hereby replies to the government's opposition to his motion for preliminary injunction.

Respondents are correct that Present Counsel, with Petitioner's consent, withdrew the latter's motion for bond redetermination on October 16, 2025. Importantly, however, the basis for so doing was that the Immigration Judge (hereinafter, "IJ") had indicated his intent to deny said motion on non-jurisdictional grounds. Put differently, the IJ did not question whether the court had jurisdiction over Petitioner's motion for bond redetermination even though such a finding could theoretically have been precluded by very recent changes in Department of Homeland Security (hereinafter, "DHS") and Executive Office for Immigration Review (hereinafter, "EOIR") policy and case law. Rather, the Immigration Judge explained that he was concerned Petitioner might be a flight risk and might not merit release on bond in the exercise of discretion.

Accordingly, the IJ gave Petitioner the option of withdrawing his motion for bond determination and submitting a new request for bond addressing the court's concerns. To that end, Petitioner conditioned his consent to withdraw said motion on Present Counsel's filing another motion for bond redetermination (with the

1 additional arguments and evidence the Immigration Judge had requested) within
2 approximately one week's time. As such, Present Counsel intends on filing a new
3 motion for release on bond next week at the latest, in which case Petitioner would
4 respectfully request that the preliminary injunction remain in place until
5 Petitioner's renewed motion for bond redetermination has been adjudicated on the
6 merits.
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10 **CONCLUSION**

11 Based on the foregoing, Petitioner prays for the requested relief.
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13 Dated: October 17, 2025

14 Respectfully submitted,

15 /s/Jose R. Jordan, Esq.

16 JOSE JORDAN AND ASSOCIATES, APLC

17 *Attorney for Petitioner*
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LOCAL RULE 11-6.2 CERTIFICATE OF COMPLIANCE

The undersigned, counsel of record for Petitioner, certifies that this brief contains 467 words, which complies with the word limit of L.R. 11-6.1.

Dated: October 17, 2025

/s/Jose R. Jordan, Esq.

JOSE JORDAN AND ASSOCIATES, APLC

Attorney for Petitioner