

1 VENABLE LLP
2 Sarah S. Brooks (SBN 266292)
3 ssbrooks@venable.com
4 2049 Century Park East, Suite 2300
5 Los Angeles, CA 90067
6 Telephone: (310) 229-9900
7 Facsimile: (310) 229-9901

8 *Counsel for Isaul Altamirano Ramos*

9 **UNITED STATES DISTRICT COURT**
10 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

11 ISAUL ALTAMIRANO RAMOS,
12 Petitioner,
13 v.

14 TODD LYONS, Acting Director,
15 Immigration Customs and Enforcement;
16 and ERNESTO SANTACRUZ, JR., Field
Office Acting Director for Enforcement
and Removal Operation

17 Respondents.
18
19
20
21
22
23
24
25
26
27
28

Case No. 2:25-cv-09785-SVW-AJR

Honorable Judge Stephen V. Wilson

**REPLY IN SUPPORT OF EX
PARTE APPLICATION FOR
TEMPORARY RESTRAINING
ORDER AND ORDER TO SHOW
CAUSE RE: PRELIMINARY
INJUNCTION**

VENABLE LLP
2049 CENTURY PARK EAST, SUITE 2300
LOS ANGELES, CA 90067
310-229-9900

REPLY MEMORANDUM OF POINTS AND AUTHORITIES

I. INTRODUCTION

Petitioner Isaul Altamirano Ramos (“Petitioner” or “Ramos”) files this Reply in support of his Ex Parte Application for a Temporary Restraining Order (“TRO”) to address arguments raised by the Respondents. Although Respondent’s Opposition brief claims that a single case in SDCA found *Matter of Yajure* did apply.¹ In fact, Judges in this District have recently uniformly found that detainees like Petitioner are eligible for bond under 8 U.S.C. § 1226(a). See e.g. *Gregorio Perez-Mendez v. Todd Lyons et al.*, Case No. 2:25-cv-07727-VBF-RAO, (C.D. Cal. Sept. 11, 2025)(granting Petitioner’s application for TRO and ordering new bond hearing finding INA 236 to apply to Petitioner). The last line of Respondent’s Opposition brief is instructive in this regard. It states that “the relief should be limited to what other Judges in this District have generally issued in similar cases: Requiring release unless a Section 1226(a) bond hearing is provided within seven (7) days.” (Dkt. 6 at 14). In other words, Respondents acknowledge the other decisions in this District granting TRO relief.

Next, Respondent’s opposition claims that this Court lacks jurisdiction to address the claims for relief raised in Petitioner’s TRO. (Dkt. 6 at 2). This argument has been rejected by Courts in this District. Respondents claim that 8 U.S.C. § 1252(g) strips this Court of jurisdiction. (Dkt. 6 at 5). But, 8 U.S.C. § 1252 (g), is narrow and only applies to claims “arising from the decision or action by the Attorney General to commence proceedings, adjudicate cases, or execute removal orders against any alien under this chapter.” 8 U.S.C. §1252 (g). The Supreme Court previously characterized § 1252(g) as a narrow provision, applying “only to three discrete actions that the Attorney General may take: her ‘decision or action’ to ‘commence proceedings, adjudicate cases, or execute removal orders.’”

¹ That case was not attached at Exhibit B. Rather, a decision from Judge Staton was attached, Case No. 5:25-cv-02486-JLS-AJR, granting Petitioner’s application for temporary restraining order.

1 *Reno v. Am.-Arab Anti-Discrimination Comm.*, 525 U.S. 471, 482 (1999). The
2 Supreme Court found it “implausible that the mention of three discrete events
3 along the road to deportation was a shorthand way to referring to all claims arising
4 from deportation proceedings.” *Id.*

5 Here, Petitioner does not challenge the “decision or action to ‘commence
6 proceedings, adjudicate cases, or execute removal orders.” Petitioner’s claims
7 challenge whether he is subject to mandatory detention. Thus, 8 U.S.C. § 1252 (g)
8 does not pose a bar to this Court’s jurisdiction. *See Bautista v. Santacruz*, No.
9 5:25-cv-01873-SSS-BFM, 2025 U.S. Dist. LEXIS 171364, *11 (C.D.Cal. July 28,
10 2025)(finding that claims regarding whether Petitioners are subject to mandatory
11 detention during the pendency of their removal proceedings do not fall under §
12 1252(g)’s prohibition on judicial review).

13 Next, Respondents’ claim that 8 U.S.C. § 1252(b)(9) deprives this Court of
14 jurisdiction because the TRO should have been brought before a Federal Court of
15 Appeal. (Dkt. 6 at 6). However, the “zipper clause” at 8 U.S.C. § 1252(b)(9), does
16 not apply here because that section applies only to review of removal orders, and
17 as noted above, Petitioner does not seek a review of an order of removal but of
18 mandatory detention. *See Bautista*, 2025 U.S. Dist. LEXIS 171364 at * 10.
19 (finding that “[w]ithout an order of removal, § 1252(b)(9) alone does not bar this
20 Court from reviewing Petitioners’ TRO regarding the legality of the new DHS
21 policy and Bond Orders applying § 1225 rather than § 1226(a)).

22 Finally, Respondents argue that 8 U.S.C. § 1252(a), titled “Judicial Review
23 of Orders of Removal,” requires “that any issue—whether legal or factual—arising
24 from any removal-related activity can be reviewed only through the [petition-for-
25 review] process.” (Dkt. 6 at 7). But, section 1252(a)(2) contains four subsections,
26 which outlines categories of claims that are not subject to judicial review. §
27 1252(a)(2)(A)–(D). None of these subsections apply to this matter, because they do
28 not cite to § 1225(b)(2)(A) or § 1226(a), which are the two provisions Petitioner

1 challenges. *See Bautista*, [2025 U.S. Dist. LEXIS 171364](#) at * 12. As in, *Bautista* no
2 part of § 1252 deprives this Court of jurisdiction.

3 As such, the Court has jurisdiction over Petitioner's challenge to his
4 mandatory detention. Simply put, nothing in the Immigration and Nationality Act
5 precludes this Court from granting the requested TRO. Petitioner respectfully asks
6 the Court to grant his TRO.

7
8 DATED: October 16, 2025

VENABLE LLP

9 By: /s/ Sarah S. Brooks

10 Sarah S. Brooks

11 Attorney for Isaul Altamirano Ramos
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

VENABLE LLP
2049 CENTURY PARK EAST, SUITE 2300
LOS ANGELES, CA 90067
310-229-9900