

ERIC GRANT
United States Attorney
JESSICA DELANEY
Assistant United States Attorney
501 I Street, Suite 10-100
Sacramento, CA 95814
Telephone: (916) 554-2700
Facsimile: (916) 554-2900

Attorneys for Respondents
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VASQUEZ ALVA, BRISA YADIRA,
Petitioner,

v.

KRISTI NOEM, et al,
Respondents

CASE NO. 1:25-CV-01600-DJC-CSK

RESPONSE TO ORDER TO SHOW CAUSE;
RETURN TO PETITION FOR WRIT OF HABEAS
CORPUS

DATE:
TIME:
COURT: Hon. Chi Soo Kim

On January 9, 2026, this Court issued an order to show why habeas relief should not be granted. The Court also ordered that all records related to detention be provided to the Court. Undersigned counsel requested the documents from ICE-ERO and has attached the responsive records received as an Exhibit. Respondents have produced documents related to Petitioner's initial arrest and release, her subsequent arrest that served as the underlying basis for the habeas petition, and documents related to her release in November 2025, as ordered by the district court.

Respondents included all legal argument in previous briefing submitted to the Court, specifically in the opposition to the temporary restraining order, filed on November 24, 2025, at ECF 8.

Respondents do not have additional legal argument or additional facts to present.

However, Respondents respectfully request that this Court hold the matter in abeyance until the resolution of the pending Ninth Circuit appeal in *Rodriguez v. Bostock*, 779 F.Supp.3d 1239 (W.D. Wash. 2025), Ninth Circuit docket no. 25-6842. Petitioner's case presents the same procedural posture

1 as the pending appeal, and the resolution of issues in *Rodriguez* is likely to be dispositive of the issues in
2 this case. Respondents request an opportunity to provide supplemental briefing following the ruling in
3 *Rodriguez*.

4 Because a preliminary injunction was issued in this case, and Petitioner was released from
5 custody, holding the matter in abeyance will not cause substantial harm to the Petitioner and will allow
6 the parties to provide the Court with additional, binding authority to review in rendering an order.

7 Dated: January 28, 2026

ERIC GRANT
United States Attorney

8
9 By: /s/ JESSICA DELANEY
10 JESSICA DELANEY
11 Assistant United States Attorney
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28