UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

JORGE SERRATO HERRERA,

Petitioner,

v.

WARDEN OF ADELANTO DETENTION FACILITY ET AL,

Respondents.

Case No.: 5:25-cv-03199-JLS-SSC

ORDER GRANTING IN PART PETITIONER'S APPLICATION FOR TEMPORARY RESTRAINING ORDER (Doc. 5)

The Court has reviewed Petitioner's *Ex Parte* Application for Temporary Restraining Order (Application, Doc. 5), Respondents' Response (Gov. Response, Doc. 9), and Petitioner's Reply (Pet. Reply, Doc. 10). The parties agree that "Petitioner appears to be a member of the Bond Eligible Class certified in *Maldonado Bautista v. Santacruz*," and that "Petitioner's claim in this action as to his entitlement to a bond hearing appears to be subject to the *Bautista* judgment." (Gov. Response at 2.) In *Bautista*, the court ruled that "Bond Eligible Class members . . . are entitled to consideration for release on bond by immigration officers and, if not released, a custody redetermination hearing before an immigration judge." *Bautista v. Santacruz*, No. 25-1873 (C.D. Cal. Dec. 18, 2025). The parties therefore agree that a bond hearing may "be held within seven (7) days, where Petitioner has the burden of proof to show he is not a danger or flight risk." (Gov. Response at 2; *see* Pet. Reply at 2.)

Accordingly, the Court ORDERS that Petitioner receive an individualized bond hearing before an immigration judge within **seven (7) days** of the issuance of this Order. Petitioner bears the burden to show at the hearing that is he neither a danger to the community nor a flight risk.

Dated: December 30, 2025

HON. JOSEPHINE L. STATON
UNITED STATES DISTRICT JUDGE