

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	5:25-cv-03412-SPG-MBK	Date	December 26, 2025
Title	Fernando Jose Juarez Fernandez v. Fereti Semaia, et al.		

Present: The Honorable Michael B. Kaufman, United States Magistrate Judge

James Munoz

N/A

Deputy Clerk

Court Smart / Recorder

Attorneys Present for Plaintiff:

Attorneys Present for Defendant:

Proceedings: ORDER RE: RESPONDENTS' ANSWER

In this habeas action, Petitioner Fernando Jose Juarez Fernandez argues his re-detention by immigration authorities violates procedural and substantive due process. Dkt. 1. On December 17, 2025, this Court issued an order requiring a response to the petition. Dkt. 3. In the order, the Court directed Respondents to file an answer to the petition on or before December 26, 2025, and instructed that the answer should include all substantive and procedural issues that they wish to assert. *Id.* at 2.

On December 24, 2025, Respondents filed "Federal Respondents' Response to Petition." Dkt. 4. The filing reads in full:

Petitioner appears to be a member of the Bond Eligible Class certified in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ---, 2025 WL 3288403 (C.D. Cal. Nov. 25, 2025). On December 18, 2025, the *Bautista* court entered final judgment as to the Bond Eligible Class. *See Bautista*, ECF No. 94. A notice of appeal was then filed by the *Bautista* defendants on December 18, 2025, ECF No. 95.

Accordingly, Respondents acknowledge that Petitioner's claims in this action as to his entitlement to a bond hearing appear to be subject to the *Bautista* judgment and to any applicable appellate proceedings relating to it. To the extent Petitioner seeks an order requiring such a bond hearing here, it should be consistent with what Courts in this District have generally ordered in similar cases, which is to require such a hearing be held within seven (7) days.

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No. 5:25-cv-03412-SPG-MBK

Date December 26, 2025

Title Fernando Jose Juarez Fernandez v. Fereti Semaia, et al.

Dkt. 4.

Respondents' filing does not appear to be responsive to the petition, in which Petitioner argues that his detention violates due process and does not assert the statutory claim at issue in *Bautista*. In the interests of justice, the Court will *sua sponte* grant Respondents' leave to file a supplement to their answer to respond to Petitioner's due process claims. In addition to the arguments and authority cited in the petition, Respondents' supplemental answer should address the analysis of two recent decisions from this District involving similar claims: *Hogarth v. Santacruz*, No. 5:25-cv-09472-SPG-MAR, 2025 WL 3211461 (C.D. Cal. Oct. 23, 2025); *Cruz v. Lyons, et al.*, No. 5:25-cv-02879-MCS-MBK (C.D. Cal. Nov. 6, 2025) at Dkt. 12.

Respondents' supplemental answer is due on or before **December 31, 2025**. In light of this supplemental briefing order and the holidays, the Court will extend Petitioner's deadline to file an optional reply in support of the petition to **January 7, 2026**. The Court will take the matter under submission thereafter without a hearing. L.R. 7-15.

IT IS SO ORDERED.

:

JM