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8 JOSSIE ARANGUREN PACHECO

9 UNITED STATES DISTRICT COURT
10 EASTERN DISTRICT OF CALIFORNIA

11 JOSSIE ARANGUREN PACHECO,
12
13 Petitioner,

14 v.

15 KRISTI NOEM, in her official capacity,
Secretary of Homeland Security; PAM
16 BONDI, in her official capacity,
Attorney General of the United States;
17 CHRISTOPHER CHESTNUT, in his
official capacity, Warden, California
City Detention Facility; SERGIO
18 ALBARRAN, in his official capacity,
Field Office Director of the San
19 Francisco Field Office, U.S. Immigration
and Custom Enforcement (ICE); TODD
20 M. LYONS, in his official capacity,
Acting Director of ICE,

21 Respondents.
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Case No. 1:25-cv-1901-DC-CKD

**PETITIONER'S REPLY TO
RESPONDENT'S RESPONSE
TO ORDER TO SHOW CAUSE
RE: PRELIMINARY
INJUNCTION
Hon. Dena Coggins**

THE PETITIONER HAS FAILED TO SHOW CAUSE WHY THE COURT SHOULD NOT GRANT A PRELIMINARY INJUNCTION ON THE SAME TERMS AS THE TEMPORARY RESTRAINING ORDER

On December 22, 2025, the Court granted Petitioner Jossie Aranguren-Pacheco's Motion for a Temporary Restraining Order (TRO) and issued an Order to Show Cause (OSC) why the Court should not issue a preliminary injunction on the same terms. (See ECF10). In that order, the Court issued the following minute order:

In Respondents' [9] Opposition to Petitioner's [3] Motion for Temporary Restraining Order, Respondents acknowledge that this Court's recent decisions in *Labrador-Prato v. Noem et al.*, No. 1:25-cv-01598-DC-SCR, 2025 WL 3458802 (E.D. Cal. Dec. 2, 2025), and *Selis Tinoco v. Noem et al.*, No. 1:25-cv-01762-DC-JDP, 2025 WL 3567862 (E.D. Cal. Dec. 14, 2025), address largely the same issues and are in the same procedural posture as this case. The only distinguishing fact identified by Respondents is that Petitioner was arrested for DUI and shoplifting, which Respondents assert are more serious offenses than the DUI charge in *Selis Tinoco*. Respondents, however, do not explain why that distinction is material to the Court's analysis. Moreover, Respondents acknowledge that the Court in *Selis Tinoco* held that such criminal allegations and any release violations are matters properly considered by an immigration judge at a bond hearing when determining danger to the community or flight risk. (Doc. No. [9] at 2.) The same reasoning applies here. Accordingly, pursuant to the Court's reasoning in *Labrador-Prato*, Petitioner's [3] Motion for Temporary Restraining Order is GRANTED.

In response to the OSC, Respondents submitted on their prior opposition to the TRO filed on December 21, 2025. (ECF 14). Petitioner incorporates by reference the arguments and supporting exhibits set forth in his Motion for Temporary Restraining Order (ECF 3), as well as his Reply to Respondent's Opposition (ECF 11). The Reply to Respondent's Opposition was filed on December 23, 2025 – after the TRO was granted. The facts and legal issues remain unchanged, and the Court's findings in its prior order (ECF 10) continue to support injunctive relief.

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CONCLUSION

Since the Court has already determined that Petitioner satisfied the requirements for a TRO, and because Respondents offer no new factual or legal basis to alter that conclusion, a preliminary injunction should issue on the same terms. *See Stuhlberg Int'l Sales Co. v. John D. Brush & Co.*, 240 F.3d 832, 839 n.7 (9th Cir. 2001) (standards for TRO and preliminary injunction are “substantially identical”).

Dated: January 13, 2026

Respectfully submitted,

/s/ Carla V. Gomez

Carla V. Gomez
Deputy Public Defender