

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA

Mirian E. Menjivar Sanchez v. Minga Wofford, Warden, Mesa Verde  
Immigrant Processing Center; Nancy Gonzalez, Acting Director of  
Bakersfield, CA Field Office, U.S. Immigration & Customs  
Enforcement; Kristi Noem, Secretary of the U.S. Department of  
Homeland Security; and Pamela Bondi, Attorney General of the  
United States

Sanchez v. Wofford · No. 1:25-cv-01187-SKO (HC) · Decided November 5, 2025

SUMMARY

The United States District Court for the Eastern District of California converts a previously issued temporary restraining order into a preliminary injunction in an immigration detainee's habeas action. The court holds that 8 U.S.C. § 1225(b) does not apply to the petitioner, who entered the United States approximately twenty years earlier and was detained under § 1226(a), and grants injunctive relief concerning her release and detention conditions.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                                                         |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | United States District Court for the Eastern District of California                                                                                                                                                                                                                                     |
| WRITING FOR THE COURT | Sheila K. Oberto                                                                                                                                                                                                                                                                                        |
| JURISDICTION          | United States District Court for the Eastern District of California                                                                                                                                                                                                                                     |
| DECIDED               | November 5, 2025                                                                                                                                                                                                                                                                                        |
| DOCKET                | 1:25-cv-01187-SKO (HC)                                                                                                                                                                                                                                                                                  |
| DISPOSITION           | other                                                                                                                                                                                                                                                                                                   |
| PROCEDURAL POSTURE    | Petitioner sought habeas relief under 28 U.S.C. § 2241 and moved for a temporary restraining order concerning her immigration detention and release conditions. After granting temporary relief, the court converted the motion into a motion for preliminary injunction and granted injunctive relief. |
| STANDARD OF REVIEW    | Preliminary-injunction standard under Winter; likelihood of success on the merits, likelihood of irreparable harm, balance of equities, and                                                                                                                                                             |

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|---------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                           | public interest. The court also recognized the alternative serious-questions standard.                                                                                                                                                                                                                                        |
| <b>PRECEDENTIAL VALUE</b> | Nonprecedential district-court order; persuasive only outside the case.                                                                                                                                                                                                                                                       |
| <b>PARTIES</b>            | Mirian E. Menjivar Sanchez v. Minga Wofford, Warden, Mesa Verde Immigrant Processing Center, Nancy Gonzalez, Acting Director of Bakersfield, CA Field Office, U.S. Immigration & Customs Enforcement, Kristi Noem, Secretary of the U.S. Department of Homeland Security, Pamela Bondi, Attorney General of the United States |

## TOPICS

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## PRACTICE AREAS

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## QUESTIONS PRESENTED

1. Whether petitioner was subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A) merely because she was present in the United States without having been admitted, despite having entered twenty years earlier and not actively seeking admission.
2. Whether petitioner was likely to succeed on her claim that detention was governed by the discretionary detention and bond-hearing framework of 8 U.S.C. § 1226(a).
3. Whether petitioner satisfied the requirements for a preliminary injunction.
4. Whether the Government could impose electronic monitoring and additional release restrictions that had not been ordered by the immigration judge or the court.
5. What procedural protections were required before petitioner could be re-arrested or re-detained.

## HOLDINGS

1. Section 1225(b)(2)(A) does not apply to a noncitizen who entered the United States twenty years earlier, is already residing in the country, and is not actively seeking admission or lawful entry.
2. Petitioner was likely detained under 8 U.S.C. § 1226(a), not § 1225(b)(2)(A), and was therefore wrongfully denied the discretionary bond process initially granted by the immigration judge.
3. Petitioner satisfied the requirements for preliminary injunctive relief because she demonstrated likely success or, at minimum, serious questions on the statutory detention issue, irreparable medical and liberty-related harm, favorable equities, and a public interest in preventing unlawful detention and preserving family unity.
4. The Government was required to remove the electronic ankle monitor and could not impose additional release restrictions unless such restrictions were determined necessary at a later custody hearing.

## KEY QUOTATIONS

*“For reasons discussed below, the Court will convert the temporary restraining order into a preliminary injunction and grant injunctive relief.”* (at 2)

*“In sum, the Court concludes that Petitioner is likely to succeed on the merits of her claim that she is not subject to mandatory detention under section 1225(b)(2)(A) and that she was wrongfully denied release on bond under section 1226(a), as initially determined by the IJ.”* (at 9)

*“The purpose of a preliminary injunction is to return the parties to the status quo ante, which is “not simply [] any situation before the filing of a lawsuit, but instead [] ‘the last uncontested status which preceded the pending controversy.’”*” (at 15)

## FACTUAL BACKGROUND

Petitioner, a citizen of El Salvador, entered the United States without admission in 2005 and has lived primarily in California for approximately twenty years. She has three children and is insulin-dependent, experiencing repeated episodes of uncontrolled hyperglycemia while detained by ICE. After an immigration judge initially granted her release under 8 U.S.C. § 1226(a) on a \$3,000 bond, the judge reversed the decision after DHS invoked *Matter of Yajure Hurtado* and treated petitioner as subject to mandatory detention under § 1225(b)(2)(A). The court previously ordered her release, but the Government imposed electronic ankle monitoring that had not been ordered by either the immigration judge or the court.

## PROCEDURAL HISTORY

Petitioner was detained by ICE in June 2025. An immigration judge initially determined that detention was governed by 8 U.S.C. § 1226(a), found petitioner not dangerous and only a minimal flight risk, and granted release on a \$3,000 bond. After DHS appealed, the immigration judge reversed course based on *Matter of Yajure Hurtado* and concluded that petitioner was subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A). The district court granted a temporary restraining order requiring release, then converted it into a preliminary injunction and ordered removal of the electronic ankle monitor and restrictions on re-arrest or re-detention absent specified procedural protections.

## DISPOSITION

other

## CASES CITED

- *Stuhlbarg International Sales Co. v. John D. Bush & Co.*, 240 F.3d 832, 839 n.7
- *Winter v. Natural Resources Defense Council, Inc.*, 555 U.S. 7, 20, 24 (2008)
- *Munaf v. Geren*, 553 U.S. 674, 689-90 (2008)
- *Amoco Production Co. v. Village of Gambell, Alaska*, 480 U.S. 531, 542 (1987)
- *Weinberger v. Romero-Barcelo*, 456 U.S. 305, 311-12 (1982)
- *Simon v. City & County of San Francisco*, 135 F.4th 784, 797 (9th Cir. 2025)

- *Friends of the Wild Swan v. Weber*, 767 F.3d 936, 942 (9th Cir. 2014)
- *Lackey v. Stinnie*, 604 U.S. 192, 199 (2025)
- *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025)
- *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369, 385-86, 394, 412-13 (2024)
- *Hing Sum v. Holder*, 602 F.3d 1092, 1100-01 (9th Cir. 2010)
- *United States ex rel. Polansky v. Executive Health Resources, Inc.*, 599 U.S. 419, 432 (2023)
- *Montclair v. Ramsdell*, 107 U.S. 147, 152 (1883)
- *League of California Cities v. Federal Communications Commission*, 118 F.4th 995, 1019 (9th Cir. 2024)
- *NLRB v. Aakash, Inc.*, 58 F.4th 1099, 1105 (9th Cir. 2023)
- *Davis v. Michigan Department of Treasury*, 489 U.S. 803, 809 (1989)
- *Posos-Sanchez v. Garland*, 3 F.4th 1176, 1183 (9th Cir. 2021)
- *Thuraissigiam*, 591 U.S. 103, 138 (2020)
- *United States v. Taylor*, 596 U.S. 845, 857 (2022)
- *Stone v. I.N.S.*, 514 U.S. 386, 397 (1995)
- *Marx v. General Revenue Corp.*, 568 U.S. 371, 386 (2013)
- *Zadvydas v. Davis*, 533 U.S. 678, 690, 693 (2001)
- *Padilla v. ICE*, 704 F. Supp. 3d 1163, 1172 (W.D. Wash. 2023)
- *Hewitt v. United States*, 145 S. Ct. 2165, 2173 (2025)
- *Baird v. Bonta*, 81 F.4th 1036, 1040 (9th Cir. 2023)
- *GoTo.com, Inc. v. Walt Disney Co.*, 202 F.3d 1199, 1210 (9th Cir. 2000)
- *Guerrero Lepe v. Andrews*, 25-cv-01163-KES-SKO (E.D. Cal. Sept. 23, 2025)

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