

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

J.O.L.R. v. Wofford

No. 1:25-cv-01241-KES-SKO (HC) (E.D. Cal. Oct. 10, 2025) · No. No. 1:25-cv-01241-KES-SKO (HC) ·
Decided October 14, 2025

SUMMARY

The United States District Court for the Eastern District of California grants a preliminary injunction in an immigration habeas action brought by J.O.L.R., an asylum seeker who was re-detained after previously being released into the United States. The court concludes that petitioner has a protected liberty interest in his conditional release and is likely entitled under the Due Process Clause to a pre-deprivation bond hearing before a neutral adjudicator. The court also determines that the government should bear the burden of proving by clear and convincing evidence that petitioner is a flight risk or danger to the community.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	October 14, 2025
DOCKET	No. 1:25-cv-01241-KES-SKO (HC)
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought habeas relief and moved for a temporary restraining order after immigration officials re-detained him without a pre-deprivation bond hearing. The court converted the temporary restraining order motion into a motion for preliminary injunction and granted the preliminary injunction.
STANDARD OF REVIEW	Preliminary injunction under <i>Winter v. Natural Resources Defense Council, Inc.</i> : likelihood of success on the merits, likelihood of irreparable harm, balance of equities, and public interest. The court also applied the <i>Mathews v. Eldridge</i> factors to determine the process due before re-detention.
PRECEDENTIAL VALUE	unpublished district court order; persuasive authority only
PARTIES	J.O.L.R. v. Minga Wofford, Mesa Verde ICE Processing Center Facility Administrator, Sergio Albarran, Acting Field Office Director

of the San Francisco Immigration and Customs Enforcement Office, Todd M. Lyons, Acting Director of United States Immigration and Customs Enforcement, Kristi Noem, Secretary of the United States Department of Homeland Security, Pamela Bondi, Attorney General of the United States

TOPICS

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QUESTIONS PRESENTED

1. Whether a noncitizen who was conditionally released into the United States during removal proceedings possesses a protected liberty interest in continued release.
2. Whether the Due Process Clause requires a pre-deprivation bond hearing before the government may re-detain such a noncitizen.
3. Whether the government must prove by clear and convincing evidence at that hearing that the noncitizen is a flight risk or danger to the community.
4. Whether petitioner satisfied the requirements for a preliminary injunction.

HOLDINGS

1. A noncitizen who was conditionally released into the United States for more than a year while pursuing removal-related relief possesses a protected liberty interest in continued release.
2. The Due Process Clause requires a pre-deprivation bond hearing before the government may re-detain a noncitizen who was conditionally released into the United States, absent evidence of urgent concerns.
3. The government must prove by clear and convincing evidence at the bond hearing that the noncitizen is a flight risk or danger to the community such that detention is justified.
4. Petitioner satisfied the preliminary-injunction requirements because he was likely to succeed on his due-process claim, detention without a required hearing caused irreparable constitutional injury, and the balance of equities and public interest favored relief.

KEY QUOTATIONS

“The Due Process Clause protects petitioner, a person inside the United States, from unlawful detention.” (at 7)

“On balance, the Mathews factors show that petitioner is entitled to a bond hearing, which should have been provided before petitioner was detained.” (at 12)

“Respondents are ENJOINED AND RESTRAINED from re-detaining petitioner unless they demonstrate, by clear and convincing evidence at a pre-deprivation bond hearing before a neutral decisionmaker, that petitioner is a flight risk or danger to the community such that his physical custody is legally justified.” (at 14)

FACTUAL BACKGROUND

J.O.L.R., a 23-year-old asylum seeker from Guatemala, entered the United States after fleeing violence based on his sexual orientation. Following a credible-fear finding, immigration officials placed him in removal proceedings, determined under 8 U.S.C. § 1226(a) that he was neither a danger nor a flight risk, and released him in September 2024 subject to reporting and monitoring requirements. After he had lived in the United States for more than a year, pursued asylum and withholding claims, maintained family and community ties, and remained free of a criminal record, ICE re-detained him at a scheduled appointment without providing a hearing before a neutral decisionmaker. The court found that the factual dispute over alleged reporting violations did not need to be resolved because the constitutional issue was whether a hearing was required before re-detention.

PROCEDURAL HISTORY

J.O.L.R. filed a habeas petition and an ex parte motion for a temporary restraining order on September 22, 2025. The court granted temporary relief and ordered his release on September 23, 2025. After briefing, a response, a reply, and an October 7, 2025 hearing, the court granted a preliminary injunction and issued the written order on October 10, 2025.

DISPOSITION

other

CASES CITED

- L. v. Lamarque, 351 F.3d 919, 924 (9th Cir. 2003)
- McElyea v. Babbitt, 833 F.2d 196, 197-98 (9th Cir. 1987)
- Saravia v. Sessions, 280 F. Supp. 3d 1168, 1176 (N.D. Cal. 2017), aff'd sub nom. Saravia for A.H. v. Sessions, 905 F.3d 1137 (9th Cir. 2018)
- 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)
- Environmental Protection Information Center v. Carlson, 968 F.3d 985, 989 (9th Cir. 2020)
- Friends of the Wild Swan v. Weber, 767 F.3d 936, 942 (9th Cir. 2014)
- Zadvydas v. Davis, 533 U.S. 678, 690, 693, 695 (2001)
- Padilla v. ICE, 704 F. Supp. 3d 1163, 1170-72 (W.D. Wash. 2023)
- Hernandez v. Sessions, 872 F.3d 976, 981, 990, 993-96 (9th Cir. 2017)

- Department of Homeland Security v. Thuraissigiam, 591 U.S. 103, 107, 139-40 (2020)
- Landon v. Plasencia, 459 U.S. 21, 32 (1982)
- United States v. Verdugo-Urquidez, 494 U.S. 259, 269 (1990)
- Johnson v. Eisentrager, 339 U.S. 763, 784 (1950)
- Garcia v. Andrews, No. 2:25-cv-01884-TLN-SCR, 2025 WL 1927596, at *2 (E.D. Cal. July 14, 2025)
- Kentucky Department of Corrections v. Thompson, 490 U.S. 454, 460 (1989)
- Young v. Harper, 520 U.S. 143, 147-49 (1997)
- Gagnon v. Scarpelli, 411 U.S. 778, 782 (1973)
- Morrissey v. Brewer, 408 U.S. 471, 480-86 (1972)
- Gonzalez-Fuentes v. Molina, 607 F.3d 864, 887 (1st Cir. 2010)
- Zinerman v. Burch, 494 U.S. 113, 127 (1990)
- Mathews v. Eldridge, 424 U.S. 319, 335 (1976)
- A.E. v. Andrews, No. 1:25-cv-00107-KES-SKO, 2025 WL 1424382, at *5 (E.D. Cal. May 16, 2025)
- Demore v. Kim, 538 U.S. 510, 530, 532-33 (2003)
- Pham v. Becerra, 717 F. Supp. 3d 877, 885 (N.D. Cal. 2024)
- Aroldo Rodriguez Diaz v. Merrick Garland, Rodriguez Diaz v. Garland, 53 F.4th 1189, 1194, 1199, 1202, 1206-07, 1210 (9th Cir. 2022)
- Cleveland Board of Education v. Loudermill, 470 U.S. 532, 542 (1985)
- Reno v. Flores, 507 U.S. 292, 302 (1993)
- Singh v. Holder, 638 F.3d 1196, 1203-06 (9th Cir. 2011)
- Jennings v. Rodriguez, 583 U.S. 281, 304-06, 312 (2018)
- Diouf v. Napolitano, 634 F.3d 1081, 1082 (9th Cir. 2011)
- Rodriguez v. Robbins, 715 F.3d 1127, 1144 (9th Cir. 2013)
- Banda v. McAleenan, 385 F. Supp. 3d 1099, 1107 (W.D. Wash. 2019)
- Abdul-Samed v. Warden of Golden State Annex Detention Facility, No. 1:25-CV-00098-SAB-HC, 2025 WL 2099343, at *8 (E.D. Cal. July 25, 2025)
- Melendres v. Arpaio, 695 F.3d 990, 1002 (9th Cir. 2012)
- Baird v. Bonta, 81 F.4th 1036, 1040 (9th Cir. 2023)
- Lopez v. Heckler, 713 F.2d 1432, 1437 (9th Cir. 1983)
- Index Newspapers LLC v. U.S. Marshals Service, 977 F.3d 817, 838 (9th Cir. 2020)