

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF
CALIFORNIA

Maria Vasquez Juarez v. Kristi Noem

Vasquez Juarez v. Noem · No. 5:25-cv-02972-RGK-JC · Decided November 21, 2025

SUMMARY

The United States District Court for the Central District of California granted petitioners’ motion for a preliminary injunction in their challenge to continued immigration detention without individualized bond hearings. The court held that 8 U.S.C. § 1226(a), rather than § 1225(b)(2)(A), likely governs petitioners’ detention and that 8 U.S.C. §§ 1252(b)(9) and 1252(g) do not bar jurisdiction. Respondents were ordered to provide each petitioner with an individualized bond hearing before an immigration judge within seven days.

CASE DETAILS

COURT	United States District Court for the Central District of California
WRITING FOR THE COURT	R. Gary Klausner
JURISDICTION	United States District Court for the Central District of California
DECIDED	November 21, 2025
DOCKET	5:25-cv-02972-RGK-JC
DISPOSITION	other
PROCEDURAL POSTURE	Petitioners sought a preliminary injunction requiring the respondents to provide individualized bond hearings before immigration judges under 8 U.S.C. § 1226(a).
STANDARD OF REVIEW	Preliminary injunctive relief requires a showing of likelihood of success on the merits, likelihood of irreparable harm, that the balance of equities favors the movant, and that an injunction is in the public interest. The Ninth Circuit's alternative sliding-scale approach permits a stronger showing on one element to offset a weaker showing on another, provided the remaining requirements are met.
PRECEDENTIAL VALUE	Unknown
PARTIES	Maria Vasquez Juarez, Emerson Sidane Lopez Lopez, Ivan Iverson Palcios Montenegro, Ismael Flores Brito, Rey Martin Flores, Israel Garcia Ramirez, Jose Leon Lopez, Elena Magdalena Lopez, Everado

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QUESTIONS PRESENTED

1. Whether 8 U.S.C. § 1252(b)(9) deprived the district court of jurisdiction over petitioners' challenge to continued detention without individualized bond hearings.
2. Whether 8 U.S.C. § 1252(g) deprived the district court of jurisdiction over petitioners' challenge to detention without bond redetermination hearings.
3. Whether petitioners were likely to succeed on their claim that 8 U.S.C. § 1226(a), rather than § 1225(b)(2)(A), governed their detention and entitled them to bond hearings.
4. Whether petitioners satisfied the Winter factors for a preliminary injunction.

HOLDINGS

1. Section 1252(b)(9) did not deprive the district court of jurisdiction over petitioners' challenge to continued detention without an individualized bond hearing.
2. Section 1252(g) did not deprive the district court of jurisdiction over petitioners' challenge to detention without bond redetermination hearings.
3. Petitioners were likely to succeed on their claim that § 1226(a), rather than § 1225(b)(2)(A), governed their detention and permitted individualized bond hearings before an immigration judge.
4. Petitioners satisfied the requirements for a preliminary injunction.

KEY QUOTATIONS

“The Supreme Court has held that Section 1252(b)(9) does not present a jurisdictional bar in a case involving a noncitizen’s challenge to his continued detention without a bond hearing pending his removal from the United States.” (3)

“The most likely explanation is that the two provisions apply to different classes of noncitizens.” (6)

“Respondents shall provide each Petitioner with an individualized bond hearing before an immigration judge pursuant to 8 U.S.C. § 1226(a), with instructions that the immigration judge has jurisdiction under 8 U.S.C. § 1226(a) to consider bond, within seven (7) days of this Order” (7)

FACTUAL BACKGROUND

The nine petitioners were noncitizens in ICE custody pending removal proceedings. DHS charged them as inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i) for being present in the United States without having been admitted or paroled. The petitioners alleged that they were being detained under 8 U.S.C. § 1225(b)(2)(A) without individualized bond hearings, while the court concluded that § 1226(a) likely governed their detention.

PROCEDURAL HISTORY

Petitioners filed the action and moved for a preliminary injunction after the court denied their original ex parte application for a temporary restraining order. The court rejected the respondents' jurisdictional arguments, found that petitioners satisfied the preliminary-injunction standard, and granted the motion.

DISPOSITION

other

REMAND INSTRUCTIONS

Respondents must provide each petitioner with an individualized bond hearing before an immigration judge pursuant to 8 U.S.C. § 1226(a), with instructions that the immigration judge has jurisdiction under § 1226(a) to consider bond, within seven days of the order.

CASES CITED

- Matter of YAJURE HURTADO, 29 I&N Dec. 216 (BIA 2025)
- Winter v. Nat. Res. Def. Council, Inc., 555 U.S. 7, 20, 22, 24 (2008)
- All. for the Wild Rockies v. Cottrell, 632 F.3d 1127, 1131-32 (9th Cir. 2011)
- Jennings v. Rodriguez, 583 U.S. 281, 291-95 (2018)
- Reno v. American-Arab Anti-Discrimination Comm., 525 U.S. 471, 482-83 (1999)
- Shulman v. Kaplan, 58 F.4th 404, 410-11 (9th Cir. 2023)
- Rodriguez v. Sony Computer Ent. Am., LLC, 801 F.3d 1045, 1051 (9th Cir. 2015)
- Karczewski v. DCH Mission Valley LLC, 862 F.3d 1006, 1015 (9th Cir. 2017)
- Benitez v. Noem, No. 5:25-cv-02190-RGK-AS (C.D. Cal. Aug. 26, 2025)
- Moreno Galvez v. Cuccinelli, 492 F. Supp. 3d 1169, 1181 (W.D. Wash. 2020)
- Moreno Galvez v. Jaddou, 52 F. Ath 821 (9th Cir. 2022)
- Nken v. Holder, 556 U.S. 418, 435 (2009)
- Moreno Galvez v. Cuccinelli, 387 F. Supp. 3d 1208, 1218 (W.D. Wash. 2019)

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