

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Rosa Aguilar-Perez v. Christopher J. Larose, Warden of Otay Mesa
Detention Center, et al.

Aguilar-Perez · No. 25cv3409-LL-DDL · Decided December 22, 2025

SUMMARY

The United States District Court for the Southern District of California partially granted Rosa Aguilar-Perez’s ex parte motion for a temporary restraining order. The court directed Respondents to arrange an individualized bond hearing before an immigration court within seven days and to file a joint status report confirming that the hearing occurred.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Linda Lopez
JURISDICTION	United States District Court for the Southern District of California
DECIDED	December 22, 2025
DOCKET	25cv3409-LL-DDL
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner brought a 28 U.S.C. § 2241 habeas petition and moved ex parte for a temporary restraining order concerning her immigration detention. Respondents acknowledged that she was detained under 8 U.S.C. § 1226(a) and was entitled to a bond hearing.
PRECEDENTIAL VALUE	Unpublished federal district court order; limited precedential value.
PARTIES	Rosa Aguilar-Perez v. Christopher J. Larose, Warden of Otay Mesa Detention Center, et al.

TOPICS

- immigration detention
- injunctions
- removal proceedings
- civil procedure

PRACTICE AREAS

- immigration law
- federal habeas corpus
- injunctive relief

QUESTIONS PRESENTED

1. Whether Petitioner was entitled to an individualized bond hearing under 8 U.S.C. § 1226(a).
2. Whether the court should grant Petitioner's ex parte motion for a temporary restraining order directing Respondents to arrange the bond hearing.

HOLDINGS

1. Because Petitioner was detained under 8 U.S.C. § 1226(a), she was entitled to an individualized bond hearing before an immigration court.
2. The ex parte motion for a temporary restraining order was granted in part to require Respondents to arrange an individualized bond hearing for Petitioner within seven days.

KEY QUOTATIONS

“Respondents are directed to arrange an individualized bond hearing for Petitioner before an immigration court within seven (7) days of this Order.” (at 1)

FACTUAL BACKGROUND

Petitioner was detained under 8 U.S.C. § 1226(a). Respondents acknowledged that she was entitled to an individualized bond hearing and agreed that the court should direct an immigration court to provide one.

PROCEDURAL HISTORY

Petitioner filed a § 2241 petition and ex parte motion for a TRO. Respondents filed a return and supplemental response acknowledging Petitioner's entitlement to a bond hearing under § 1226(a). The court granted the TRO motion in part and ordered an individualized bond hearing within seven days.

DISPOSITION

other

CASES CITED

- Maldonado Bautista v. Santacruz, Case No. 5:25-cv-01873-SSS-BFM
- Hawkins v. Risley, 984 F.2d 321, 324 (9th Cir. 1993)