

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Miriam Francisca Ruiz Diaz v. Christopher J. Larose, et al.

Ruiz Diaz v. Larose · No. 3:25-cv-3517-CAB-SBC · Decided December 22, 2025

SUMMARY

The United States District Court for the Southern District of California grants Miriam Francisca Ruiz Diaz's petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court holds that her re-detention by immigration officials after release on her own recognizance, without notice or a pre-detention hearing, violated the Due Process Clause of the Fifth Amendment, and orders her immediate release subject to the prior release conditions.

CASE DETAILS

COURT	United States District Court for the Southern District of California
JURISDICTION	United States District Court for the Southern District of California
DECIDED	December 22, 2025
DOCKET	3:25-cv-3517-CAB-SBC
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention.
STANDARD OF REVIEW	Under 28 U.S.C. § 2241, the court determined whether Petitioner was in custody in violation of the Constitution or laws of the United States; Petitioner bore the burden of demonstrating illegal custody.
PRECEDENTIAL VALUE	Nonprecedential district court order; precedential status is unknown.
PARTIES	Miriam Francisca Ruiz Diaz v. Christopher J. Larose, et al.

TOPICS

- federal habeas corpus
- immigration detention
- procedural due process
- due process
- removal proceedings

PRACTICE AREAS

- immigration
- habeas corpus
- constitutional law
- civil rights

QUESTIONS PRESENTED

1. Whether Petitioner had a protectable liberty interest in remaining out of immigration custody after being released on her own recognizance.
2. Whether re-detaining Petitioner without notice or a pre-detention hearing violated the Due Process Clause of the Fifth Amendment.
3. Whether Petitioner was entitled to habeas relief and an order requiring release from custody.

HOLDINGS

1. A person released from immigration custody on her own recognizance has a protectable liberty interest in remaining out of custody.
2. Re-detaining a person who had been released from immigration custody on her own recognizance, without notice or a pre-detention hearing, violated the Due Process Clause of the Fifth Amendment.
3. Petitioner was entitled to a writ of habeas corpus because her detention violated the Fifth Amendment.

KEY QUOTATIONS

“Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that Clause protects.” (at 2)

“the government’s decision to release an individual from custody creates an implicit promise, upon which that individual may rely, that their liberty will be revoked only if they fail to live up to the conditions of release.” (at 2)

“Petitioner was detained by immigration officials, released on her own recognizance, and then re-detained without notice or a hearing, which violates the due process to which she is entitled.” (at 3)

FACTUAL BACKGROUND

Petitioner, a Mexican national who entered the United States in 1990, was detained by ICE in 2014 and released on her own recognizance subject to conditions. Her removal proceedings were administratively closed in 2015. After ICE directed her to appear for a check-in on October 9, 2025, masked ICE officers detained her without notice, and she remained in custody without an explanation for revocation of her release.

PROCEDURAL HISTORY

Petitioner filed a habeas petition on December 10, 2025, challenging her continued detention by immigration authorities after she was re-detained without notice or a hearing. The parties submitted briefing, and the court decided the matter on the papers. The court granted the writ and ordered her immediate release under the prior conditions of release, while enjoining re-detention without notice and a pre-detention hearing before a neutral decisionmaker.

DISPOSITION

writ_granted

REMAND INSTRUCTIONS

Respondents were ordered to immediately release Petitioner under the same conditions as her prior release on recognizance and were enjoined from re-detaining her without notice and a pre-detention hearing before a neutral decisionmaker.

CASES CITED

- Martinez v. Noem, No. 25-CV-2740-BJC-BJW, 2025 WL 3171738, at *2 (S.D. Cal. Nov. 13, 2025)
- Zadvydas v. Davis, 533 U.S. 678, 690 (2001)
- Wong Wing v. United States, 163 U.S. 228, 238 (1896)
- Valencia Zapata v. Kaiser, No. 25-CV-07492-RFL, 2025 WL 2578207, at *2-*3 (N.D. Cal. Sept. 5, 2025)
- Pinchi v. Noem, 792 F. Supp. 3d 1025, 1032, 1036 (N.D. Cal. 2025)
- Morrissey v. Brewer, 408 U.S. 471, 482 (1972)

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