

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Diego Alejandro Lara Urriola v. Christopher J. LaRose, et al.

Lara Urriola v. LaRose · No. 3:25-cv-03556 · Decided December 30, 2025

SUMMARY

The United States District Court for the Southern District of California granted Diego Alejandro Lara Urriola’s petition for a writ of habeas corpus. The court held that his re-detention was governed by 8 U.S.C. § 1226(a), rejected the jurisdictional challenge, and found that Respondents had not addressed the merits of his Administrative Procedure Act and due process claims. The court ordered his immediate release subject to the terms of his previous release.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Dana M. Sabraw
JURISDICTION	United States District Court for the Southern District of California
DECIDED	December 30, 2025
DOCKET	3:25-cv-03556
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for a writ of habeas corpus seeking release from immigration detention.
PRECEDENTIAL VALUE	Unknown
PARTIES	Diego Alejandro Lara Urriola v. Christopher J. LaRose, Daniel A. Brightman, Todd M. Lyons, U.S. Immigration and Customs Enforcement, Kristi Noem, U.S. Department of Homeland Security, Pamela Bondi

TOPICS

- immigration detention
- administrative procedure act
- procedural due process
- judicial review of agency action
- removal proceedings

PRACTICE AREAS

- immigration law
- administrative law
- constitutional law
- habeas corpus
- civil procedure

QUESTIONS PRESENTED

1. Whether the court had jurisdiction to consider Petitioner's challenges to his immigration re-detention under the Administrative Procedure Act and the Fifth Amendment.
2. Whether Petitioner's re-detention was governed by 8 U.S.C. § 1226(a) rather than 8 U.S.C. § 1225(b)(2)(A).
3. Whether Petitioner was entitled to habeas relief and release where Respondents failed to rebut his claims that the revocation of his release violated the APA and procedural due process.

HOLDINGS

1. The court had jurisdiction to consider Petitioner's claims challenging his re-detention under the APA and the Fifth Amendment.
2. Petitioner's re-detention was governed by 8 U.S.C. § 1226(a), not 8 U.S.C. § 1225(b)(2)(A).
3. The petition was granted and Respondents were ordered to release Petitioner immediately, subject to the terms of his previous release, because Respondents failed to rebut the merits of his APA and Fifth Amendment claims.

KEY QUOTATIONS

“Absent any rebuttal from Respondents, the Court grants the Petition, and orders Respondents to release Petitioner forthwith, and subject to the terms of his previous release.” (at 2)

FACTUAL BACKGROUND

Petitioner, a Venezuelan citizen and national, entered the United States in December 2023, was apprehended, and was released on his own recognizance subject to immigration proceedings and supervision. He allegedly complied with the requirements imposed by Respondents and pursued immigration relief, including asylum and Special Immigrant Juvenile findings. After an immigration-judge hearing on July 1, 2025, Respondents took him into custody despite the judge's denial of their motion to dismiss his case for expedited removal, and he remained detained at Otay Mesa Detention Center. The court granted habeas relief after Respondents failed to address the merits of the claims challenging the re-detention.

PROCEDURAL HISTORY

Petitioner was released after apprehension in December 2023 and was placed in removal proceedings and monitored through the Intensive Supervision Appearance Program. Respondents detained him in July 2025 after an immigration-judge hearing, despite the judge's denial of Respondents' motion to dismiss the existing case and place Petitioner in expedited removal proceedings. Petitioner filed this habeas action on December 12, 2025. The court rejected Respondents' jurisdictional argument, determined that the re-detention was governed by 8 U.S.C. § 1226(a), and granted the petition because Respondents did not address the merits of Petitioner's APA and Fifth Amendment claims.

DISPOSITION

writ_granted

CASES CITED

- Arellano v. LaRose, No. 3:25-cv-03316-DMS-AHG, ECF No. 6
- Fanfan v. Noem, No. 25cv3291 DMS (BJW), ECF No. 13
- Medina-Ortiz v. Noem, No. 25-cv-2819-DMS-MMP, ECF No. 7
- Vasquez Garcia v. Noem, 2025 WL 2549431, at *3–4 (S.D. Cal. Sept. 3, 2025)
- Maldonado Bautista v. Santacruz, Case No. 5:25-cv-01873-SSS-BFM
- N-E-M-B v. Wamsley, No. 3:25-cv-989-SI, 2025 WL 3527111, at *7-8 (D. Ore. Dec. 9, 2025)
- F.B. v. Noem, No. CV-25-04271-PHX-JJT (JZB), 2025 WL 3628652, at *1-2 (D. Ariz. Dec. 4, 2025)
- Rios v. Noem, No. 25-cv-2866-JES-VET, 2025 WL 3141207, at *2-4 (S.D. Cal. Nov. 10, 2025)
- Makuey v. Scott, No. 2:25-cv-02135-DGE-BAT, 2025 WL 3640900, at *4-7 (W.D. Wash. Dec. 16, 2025)
- Singh v. Andrews, No. 1:25-cv-01438-EPG-HC, 2025 WL 3563221, at *4-8 (E.D. Cal. Dec. 12, 2025)
- Faizyan v. Casey, No. 3:25-cv-02884-RBM-JLB, 2025 WL 3208844, at *6-8 (S.D. Cal. Nov. 17, 2025)
- Rodriguez Cabrera v. Mattos, ___ F. Supp. 3d ___, 2025 WL 3072687 (D. Nev. Nov. 3, 2025)
- E.A.T.-B. v. Wamsley, 795 F. Supp. 3d 1316, 1320- (W.D. Wash. 2025)

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