

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

**Andrea Romero-Suarez v. Patrick Divver, Field Office Director of
Enforcement and Removal Operations, San Diego Field Office,
Immigration and Customs Enforcement, et al.**

Case No. 25cv3789-LL-KSC · No. 25cv3789-LL-KSC · Decided January 7, 2026

OPINION

Romero-Suarez

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 11 ANDREA ROMERO-SUAREZ, Case No.: 25cv3789-LL-KSC 12 Petitioner,

ORDER GRANTING PETITION

13 v. FOR WRIT OF HABEAS CORPUS

PURSUANT TO 28 U.S.C. § 2241

14 PATRICK DIVVER, Field Office Director of Enforcement and Removal 15 [ECF No. 1]
Operations, San Diego Field Office, 16 Immigration and Customs Enforcement, et al., 17
Respondents. 18 19 Before the Court is Petitioner Andrea Romero-Suarez's Petition for Writ of
Habeas 20 Corpus pursuant to 28 U.S.C. § 2241. ECF No. 1 ("Pet."). Respondents filed a
Response 21 in which they acknowledge that (1) Petitioner is a member of the Bond Eligible
Class 22 certified in Maldonado Bautista v. Santacruz, No. 5:25-cv-01873-SSS-BFM, 23 2025
WL 3288403 (C.D. Cal. Nov. 25, 2025); (2) a final judgment has been entered as to 24 the Bond
Eligible Class; and (3) per the entry of final judgment, Petitioner is detained under 25 8 U.S.C. §
1226(a) and is entitled to an order from this Court directing a bond hearing be 26 held pursuant to
8 U.S.C. § 1226(a). ECF No. 4; Maldonado Bautista v. Noem, 27 / / / 28 1 5:25-CV-01873-SSS-
BFM, 2025 WL 3678485, at *1 (C.D. Cal. Dec. 18, 2025) 2 (entering final judgment for members
of the Bond Eligible Class).! 3 Accordingly, the Court ORDERS as follows: 4 1. Petitioner's
Petition for Writ of Habeas Corpus is GRANTED. " 5 2. Respondents shall provide Petitioner
with an individualized bond hearing 6 || before an immigration judge pursuant to 8 U.S.C. §
1226(a) within seven (7) days of the 7 || date of this order. 8 3. The Clerk of Court shall enter
judgment in Petitioner's favor and close this 9 || case. 10 IT IS SO ORDERED. 11 Dated: January
7, 2026 NO 12 QF 13 Honorable Linda Lopez 4 United States District Judge 15 16 17 18 19 20 21
22 24 Subsequent to entry of judgment, the respondents in Maldonado Bautista filed a Notice 25
||of Appeal. However, the Ninth Circuit has held the filing of an appeal does not suspend 6 the

preclusive effect of a lower court judgment. *Hawkins v. Risley*, 984 F.2d 321, 324 (9th Cir. 1993) (citations omitted). In her prayer for relief, Petitioner requests attorney's fees and costs under the Equal Access to Justice Act, which the Court DENIES without prejudice.

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