

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Carmen G.C. v. Timothy S. Robbins, Field Office Director of the Los Angeles Field Office of U.S. Immigration and Customs Enforcement; Todd Lyons, Acting Director of United States Immigration and Customs Enforcement; U.S. Department of Homeland Security; Kristi Noem, Secretary of the United States Department of Homeland Security; Christopher Chestnut, Administrator of California City Detention Facility; and Pamela Bondi, Attorney General of the United States

Carmen G.C. v. Robbins · No. 1:25-cv-01648-KES-HBK (HC) · Decided December 8, 2025

SUMMARY

The United States District Court for the Eastern District of California grants petitioner Carmen G.C.’s motion for a preliminary injunction, converted from a motion for temporary restraining order. The court holds that petitioner is likely to succeed on her claim that her re-detention without a bond hearing violated procedural due process, based on her prior release under 8 U.S.C. § 1226(a) and resulting protected liberty interest. The court concludes that she is entitled to a bond hearing at which the government must prove by clear and convincing evidence that she presents a flight risk or danger to the community.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 8, 2025
DOCKET	1:25-cv-01648-KES-HBK (HC)
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner sought habeas relief and moved for a temporary restraining order, arguing that her re-detention without a pre-deprivation bond hearing violated the Fifth Amendment Due Process Clause. The court converted the motion to a motion for preliminary injunction and granted it.

STANDARD OF REVIEW	Preliminary injunction standard under <i>Winter</i> : the movant must show likely success on the merits, likely irreparable harm, that the balance of equities favors relief, and that an injunction is in the public interest. A sliding-scale approach permits relief upon serious questions going to the merits when the balance of hardships tips sharply in the movant's favor and the remaining <i>Winter</i> factors are satisfied.
PRECEDENTIAL VALUE	district court opinion; preliminary injunction order; nonprecedential
PARTIES	Carmen G.C. v. Timothy S. Robbins, Todd Lyons, U.S. Department of Homeland Security, Kristi Noem, Christopher Chestnut, Pamela Bondi

TOPICS

immigration detention

removal proceedings

procedural due process

equitable relief

remedies

PRACTICE AREAS

immigration law

constitutional law

civil rights

federal habeas corpus

injunctive relief

QUESTIONS PRESENTED

1. Whether the entry-fiction doctrine deprived petitioner of procedural due process rights concerning her immigration detention.
2. Whether petitioner's release under 8 U.S.C. § 1226(a), followed by more than three years at liberty, created a protected liberty interest in continued release.
3. Whether the Fifth Amendment required a pre-deprivation bond hearing before the government could re-detain petitioner.
4. Whether petitioner satisfied the requirements for a preliminary injunction.

HOLDINGS

1. The entry-fiction doctrine did not foreclose petitioner's procedural due process challenge to her re-detention because the government had treated her as already present in the United States by detaining and releasing her under 8 U.S.C. § 1226(a), and the cited entry-fiction cases primarily concerned admission rather than detention.
2. Petitioner possessed a protected liberty interest in her continued release.
3. Before re-detaining petitioner, the government was required to provide a pre-deprivation bond hearing before a neutral decisionmaker at which it must prove by clear and convincing evidence that petitioner is a flight risk or danger to the community.
4. Petitioner satisfied the preliminary-injunction requirements because she was likely to succeed on her procedural due process claim, faced irreparable constitutional injury, and the balance of equities and public interest favored relief.

KEY QUOTATIONS

“On balance, the Mathews factors show that petitioner is entitled to a bond hearing where the government must prove that she is a flight risk or danger to the community by clear and convincing evidence.” (at 13)

“Respondents are ENJOINED AND RESTRAINED from re-detaining petitioner unless they demonstrate, by clear and convincing evidence at a pre-deprivation bond hearing before a neutral decisionmaker, that petitioner is a flight risk or danger to the community such that her physical custody is legally justified.” (at 14)

FACTUAL BACKGROUND

Petitioner, a Guatemalan asylum-seeker, entered the United States without inspection in June 2022 and was detained by immigration authorities. She was released under a notice stating that her release was pursuant to section 236 of the Immigration and Nationality Act, codified at 8 U.S.C. § 1226, and remained at liberty for more than three years subject to supervision and reporting requirements. After she received a positive credible-fear determination and was placed in removal proceedings, ICE re-detained her in November 2025 based on alleged missed virtual check-ins and tracking-device failures. Respondents conceded for purposes of the motion that petitioner did not appear to be a danger or flight risk.

PROCEDURAL HISTORY

Petitioner filed a petition for writ of habeas corpus and a motion for temporary restraining order on November 25, 2025, after ICE re-detained her on November 16, 2025. Respondents opposed the motion, and petitioner replied. Neither party objected to conversion of the temporary restraining order motion into a preliminary injunction motion or requested a hearing. The district court granted preliminary injunctive relief, ordered immediate release, and barred re-detention absent a pre-deprivation bond hearing satisfying the specified evidentiary standard.

DISPOSITION

other

CASES CITED

- Saravia v. Sessions, 280 F. Supp. 3d 1168 (N.D. Cal. 2017), aff'd sub nom. Saravia for A.H. v. Sessions, 905 F.3d 1137 (9th Cir. 2018)
- Stuhlberg International Sales Co. v. John D. Bush & Co., 240 F.3d 832 (9th Cir. 2001)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7 (2008)
- Munaf v. Geren, 553 U.S. 674 (2008)
- Zadvydas v. Davis, 533 U.S. 678 (2001)
- Department of Homeland Security v. Thuraissigiam, 591 U.S. 103 (2020)
- Leng May Ma v. Barber, 357 U.S. 185 (1958)
- United States ex rel. Knauff v. Shaughnessy, 338 U.S. 537 (1950)
- Hernandez v. Sessions, 872 F.3d 976 (9th Cir. 2017)

- Barrera-Echavarria v. Rison, 44 F.3d 1441 (9th Cir. 1995)
- Ramirez v. Sessions, 2019 WL 11005487 (N.D. Cal. Jan. 30, 2019)
- Wong v. United States, 373 F.3d 952 (9th Cir. 2004)
- Al Otro Lado v. Executive Office for Immigration Review, 138 F.4th 1102 (9th Cir. 2025)
- Jennings v. Rodriguez, 583 U.S. 281 (2018)
- Young v. Harper, 520 U.S. 143 (1997)
- Gagnon v. Scarpelli, 411 U.S. 778 (1973)
- Morrissey v. Brewer, 408 U.S. 471 (1972)
- Gonzalez-Fuentes v. Molina, 607 F.3d 864 (1st Cir. 2010)
- Perry v. Sindermann, 408 U.S. 593 (1972)
- Mathews v. Eldridge, 424 U.S. 319 (1976)
- Zinerman v. Burch, 494 U.S. 113 (1990)
- A.E. v. Andrews, 2025 WL 1424382 (E.D. Cal. May 16, 2025)
- Cleveland Board of Education v. Loudermill, 470 U.S. 532 (1985)
- Boddie v. Connecticut, 401 U.S. 371 (1971)
- United States v. James Daniel Good Real Property, 510 U.S. 43 (1993)
- Guillermo M. R. v. Kaiser, 2025 WL 1983677 (N.D. Cal. July 17, 2025)
- Ortega v. Kaiser, 2025 WL 1771438 (N.D. Cal. June 26, 2025)
- Ortega v. Bonnar, 415 F. Supp. 3d 963 (N.D. Cal. 2019)
- Doe v. Becerra, 787 F. Supp. 3d 1083 (E.D. Cal. 2025)
- Diaz v. Brewer, 656 F.3d 1008 (9th Cir. 2011)