

1 1:25-CV-01489-KES-HBK (HC), 2025 WL 3236521 (E.D. Cal. Nov. 19, 2025).

2 The Court ordered respondents to show cause as to whether there are any factual or legal
3 issues in this case that render it distinguishable from the Court's prior orders in *Guzman v.*
4 *Andrews, Clene C.D. v. Robbins, Bilal A. v. Wofford*, and *W.V.S.M. v. Wofford*, and that would
5 justify denying the motion. Doc. 4. The Court also ordered respondents to state their position on
6 whether the motion should be converted to a motion for preliminary injunction and whether they
7 request a hearing. *Id.* Respondents did not identify any factual or legal issues in this case that
8 distinguish it from the cases cited in the Court's minute order, and they also did not object to
9 converting the motion or request a hearing. *See* Doc. 7.

10 As respondents have not identified any factual or legal issues in this case that render it
11 distinguishable from the Court's prior decisions in *Guzman v. Andrews*, No. 1:25-CV-01015-
12 KES-SKO (HC), 2025 WL 2617256 (E.D. Cal. Sept. 9, 2025), *Clene C.D. v. Robbins*, No. 1:25-
13 CV-01463-KES-SKO (HC), 2025 WL 3492118 (E.D. Cal. Dec. 4, 2025), *Bilal A. v. Wofford*, No.
14 1:25-CV-01715-KES-HBK (HC), 2025 WL 3648366 (E.D. Cal. Dec. 16, 2025), and *W.V.S.M. v.*
15 *Wofford*, No. 1:25-CV-01489-KES-HBK (HC), 2025 WL 3236521 (E.D. Cal. Nov. 19, 2025),
16 and for the reasons stated in those prior orders, petitioner's motion for temporary restraining order
17 is converted to a motion for a preliminary injunction and is GRANTED. Respondents are
18 ORDERED to release petitioner immediately. Respondents are ENJOINED AND
19 RESTRAINED from re-detaining petitioner unless they demonstrate, by clear and convincing
20 evidence at a pre-deprivation bond hearing before a neutral decisionmaker, that petitioner is a
21 flight risk or danger to the community such that his physical custody is legally justified.

22 The bond requirement of Federal Rule of Civil Procedure 65(c) is waived. Courts
23 regularly waive security in cases like this one. *See Diaz v. Brewer*, 656 F.3d 1008, 1015 (9th Cir.
24 2011); *Pinchi v. Noem*, No. 25-CV-05632-RMI (RFL), 2025 WL 1853763, at *4 (N.D. Cal. July
25 4, 2025).

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This matter is referred to the assigned magistrate judge for further proceedings including the preparation of findings and recommendations on the petition or other appropriate action.

IT IS SO ORDERED.

Dated: January 9, 2026



UNITED STATES DISTRICT JUDGE