

1
2
3
4
5
6
7
8 **United States District Court**
9 **Central District of California**
10 **Western Division**
11

12 JAIRO G. APARICIO,

13 Petitioner,

14 v.

15 UNITED STATES DEPARTMENT
16 OF HOMELAND SECURITY, *et al.*,

17 Respondents.

ED CV 20-00716 TJH (SPx)

Order JS-6

18
19 The Court has considered Petitioner's petition for a writ of *habeas corpus*,
20 pursuant to 28 U.S.C. § 2241, together with the moving and opposing papers.

21 Petitioner, an immigration detainee at the Adelanto Immigration and Customs
22 Enforcement Processing Center ["Adelanto"], filed this petition, seeking release from
23 immigration detention based on two claims. The first claim challenged the conditions
24 of confinement at Adelanto in light of the COVID-19 pandemic, based on a violation
25 of substantive due process under the Fifth Amendment. The second claim alleged that
26 the Government failed to reasonably accommodate his disability, in violation of the
27 Rehabilitation Act, 29 U.S.C. §§ 794, *et seq.*

28 Both of Petitioner's claims have been subsumed by two mandatory class actions

1 - *Roman, et al. v. Wolf, et al.*, CV 20-768 TJH (PVCx) [*“Roman”*] and *Frailhat, et*
2 *al. v. United States Immigration and Customs Enforcement, et. al.*, CV 19-1546 JGB
3 (SHKx).

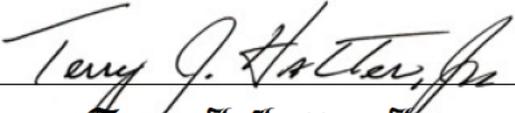
4 Thus, Petitioner’s individual claims are, now, moot.

5
6 Accordingly,

7
8 **It is Ordered** that the petition for writ of *habeas corpus* be, and hereby is,
9 **Dismissed**.

10
11 **It is further Ordered** that Petitioner shall remain released subject to the terms
12 and conditions previously ordered by this Court in this action and/or *Roman*.

13
14 Date: July 13, 2021

15 
16 **Terry J. Hatter, Jr.**
17 **Senior United States District Judge**