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8 **United States District Court**
9 **Central District of California**
10 **Western Division**
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12 JOSE LUIS SANCHEZ SANCHEZ
13 DELGADILLO,

14 Petitioner,

15 v.

16 CHAD WOLF, *et al.*,

17 Respondents.
18

ED CV 20-00933 TJH (KSx)

Order JS-6

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 challenged
26 Petitioner's prolonged detention without a bond hearing, based on violations of
27 procedural due process under the Fifth Amendment as well as the Immigration and
28 Nationality Act, 8 U.S.C. § 1101, *et seq.*

1 On April 13, 2020, in *Roman, et al. v. Wolf, et al.*, CV 20-768 TJH (PVCx)
2 [*"Roman"*], Petitioners-Plaintiffs Kelvin Hernandez Roman, Miguel Aguilar Estrada,
3 and Beatriz Andrea Forero Chavez, on behalf of themselves and all others similarly
4 situated, filed a combined petition for a writ of *habeas corpus* and complaint for
5 injunctive and declaratory relief premised on a Fifth Amendment substantive due
6 process violation based on the conditions of confinement at Adelanto.

7 On April 23, 2020, the Court provisionally certified *Roman* as a mandatory class
8 action under Fed. R. Civ. P. 23(b)(2), and, subsequently, stayed the instant action
9 pending the outcome of *Roman*. On September 22, 2020, the Court certified the
10 mandatory *Roman* class on a non-provisional basis. Because of *Roman*, Petitioner's
11 substantive due process claim is, now, moot.

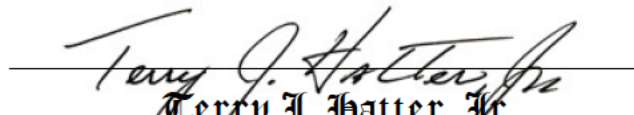
12 Petitioner's prolonged detention claim fails, here, because the appropriate
13 remedy for that claim would be a new bond hearing and not release.

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15 Accordingly,

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17 **It is Ordered** that the petition for writ of *habeas corpus* be, and hereby is,
18 **Dismissed**.

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

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23 Date: July 13, 2021

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26 **Terry J. Hatter, Jr.**
27 **Senior United States District Judge**
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