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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

NAK KIM CHHOEUN, MONY NETH,
individually and on behalf of a class of
similarly-situated individuals,

Petitioners,

v.

DAVID MARIN, Field Office Director,
Los Angeles Field Office, United States
Immigration and Customs Enforcement;
DAVID W. JENNINGS, Field Office
Director, San Francisco Field Office,
United States Immigration and Customs
Enforcement; MATTHEW T.
ALBENCE, Deputy Director and Senior
Official Performing the Duties of the
Director, United States Immigration and
Customs Enforcement; CHAD WOLF,
Acting Secretary, United States
Department of Homeland Security;
WILLIAM BARR, United States
Attorney General,

Respondents.

Case No. 8:17-cv-01898-CJC (GJSx)

**JUDGMENT AND PERMANENT
INJUNCTION**

1 On March 4, 2020, after considering the parties' briefs, evidence, and oral
2 argument, the Court entered an order granting Petitioners' motion for summary
3 judgment and denying Respondents' cross-motion for summary judgment. (Dkt. 319.)
4 In accordance with the Court's Order, **IT IS HEREBY ORDERED** that judgment is
5 entered in favor of Petitioners.

6
7 **IT IS FURTHER ORDERED** that U.S. Immigration and Customs
8 Enforcement ("ICE") is permanently restrained and enjoined from re-detaining for
9 removal any Class Member, as defined below, unless ICE first serves written notice
10 ("Notice") on the Class Member at least 14 days before re-detention in accordance
11 with the following terms of this Order:

12
13 1. The class consists of all Cambodian nationals in the United States who
14 are subject to final orders of deportation or removal, and were subsequently released
15 from ICE custody, and have not subsequently violated any criminal laws or conditions
16 of their release, and have been or may be re-detained for removal by ICE. Each
17 person in the class is a "Class Member." (Dkt. 149.)

18
19 2. Notice must be served on each Class Member at least 14 days before re-
20 detention. The Notice shall state the following or words substantially to the same
21 effect: "You are subject to a final removal order. U.S. Immigration and Customs
22 Enforcement (ICE) intends to re-detain you for the execution of your final removal
23 order and removal to Cambodia no earlier than 14 days from the date of this Notice."
24 Notice must include copies of (1) the class member's charging documents in
25 immigration court, (2) the removal order, and (3) to the extent such documents are in
26 the possession of ICE and were relied upon by ICE in connection with a removal
27 order, the criminal conviction records upon which the removal order rests.

1 3. Notice, including accompanying documents, shall be served on the class
2 member and—through the final disposition of this case, including during the
3 pendency of all appeals—simultaneously served on class counsel at the following
4 address:

5 *Chhoeun v. Marin Class Counsel*
6 c/o Asian Americans Advancing Justice - Asian Law Caucus
7 55 Columbus Avenue
8 San Francisco, CA 94111

9
10 **IT IS FURTHER ORDERED** that this Court shall retain jurisdiction of this
11 matter for the purpose of enforcing the terms of this Order.

12
13 IT IS SO ORDERED.

14
15 Date: April 27, 2020



HON. CORMAC J. CARNEY
United States District Judge