

1 UNITED STATES DISTRICT COURT  
2 DISTRICT OF NEVADA

3 \* \* \*

4 VICTOR KALID JACOBO RAMIREZ,  
5 MICHEL GUEVARA ALCANTAR, *on*  
6 *behalf of themselves and others similarly*  
*situated,*

7 Plaintiffs-Petitioners,

8 v.

9 MARKWAYNE MULLIN, *et al.*,

10 Defendants-Respondents.

Case No. 2:25-cv-02136-RFB-MDC

**ORDER REQUIRING  
NOTICE TO CLASS  
MEMBERS AND CLASS  
COUNSEL**

11  
12 For the reasons identified in this Court’s Order Granting Partial Summary Judgment, see  
13 ECF No. 96 at 57–58, in Plaintiffs-Petitioners’ (hereinafter “Plaintiffs” or “Class Members”) Request for Notice, see ECF No. 108 at 3–6, and having considered and overruled Defendants-  
14 Respondents’ (hereinafter “Defendants”) oral objections to the form and content of Plaintiffs’  
15 proposed notice, see ECF Nos. 117, 121, the Court finds requiring Defendants to provide notice  
16 to detained Class Members and class counsel is necessary to protect Class Members’ interests and  
17 fairly conduct this action. See Fed. R. Civ. P. 23(d)(1)(B); see also Fed. R. Civ. P. 23 advisory  
18 committee’s note to 1966 amendment (“Notice is available fundamentally for the protection of the  
19 members of the class or otherwise for the fair conduct of the action[.]”).  
20

21 Specifically, the Court finds that exceptional circumstances and due process concerns in  
22 this case warrant requiring Defendants to provide notice to detained Class Members regarding the  
23 Court’s class-wide declaratory judgment and vacatur, and their entitlement to relief pursuant to  
24 that judgment. Many Class Members do not speak English, do not have access to external sources  
25 of information, have limited ability to communicate with family members or friends, do not have  
26 access to legal resources to navigate the complexities of immigration law, and have been or may  
27 be transferred to detention centers outside of this judicial district. Notice to detained Class  
28 Members will ensure, *inter alia*, (1) that Class Members are aware of their ability to request a bond

1 hearing before an immigration judge due to the Court’s vacatur of Matter of Yajure Hurtado; (2)  
2 that Class Members and class counsel are able to efficiently and expediently petition this Court for  
3 further relief in the event Federal Defendants fail to comply with this Court’s declaratory judgment  
4 and vacatur, or otherwise infringe on Class Members’ right to relief;<sup>1</sup> and (3) that this Court and  
5 class counsel are able to monitor compliance with this Court’s Orders. See, e.g., Rodriguez  
6 Vazquez v. Hermosillo, No. 3:25-CV-05240-TMC, 2026 WL 102461, at \*7 (W.D. Wash. Jan. 14,  
7 2026) (finding notice to detained class members unlawfully subjected to mandatory detention  
8 under 8 U.S.C. 1225(b)(2)(A) “is necessary because so long as [the government] continue[s its]  
9 noncompliance, individual habeas petitions are the only realistic way for class members to exercise  
10 their rights under the declaratory judgment.”); Guerrero Orellana v. Moniz, 813 F. Supp. 3d 185,  
11 198 (D. Mass. 2025) (ordering individualized notice to detained class members pursuant to Fed.  
12 R. Civ. P. 23(d)(1)(B) to “ensure that class members are informed of their rights in light of DHS’s  
13 ability to transfer class members between facilities and the fact that many class members may not  
14 speak English or have counsel.”).

15 Moreover, the Court finds requiring Federal Defendants to provide notice to class counsel  
16 as requested by Plaintiffs, see ECF No. 108 at 6–7, provides a necessary and appropriate ongoing  
17 reporting mechanism to enable the Court and class counsel to (1) ensure that individual Class  
18 Members receive the notice required by this Order; (2) ensure that Class Members promptly  
19 receive the relief to which they are entitled; (3) minimize confusion of Class Members as to the  
20 relief available within this class action versus relief available under other provisions of federal  
21 law; and (4) facilitate class counsel’s ability to expeditiously assist Class Members with receiving

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23 <sup>1</sup> Federal Defendants have defied declaratory judgments in similar regional class actions.  
24 See ECF No. 108 at 5–6; see also Order Certifying Class at 4, ECF No. 71. Similarly, Federal  
25 Defendants have systemically violated federal court orders granting habeas relief to immigration  
26 detainees. See ECF No. 108 at 3 n.1 (citing Kyle Cheney, How ICE Defies Judges’ Orders to  
27 Release Detainees, Step by Step, POLITICO (Feb. 10, 2026),  
28 <https://www.politico.com/news/2026/02/10/ice-immigration-detention-court-orders-00771727>  
(describing ICE defiance of court orders, including by “rac[ing] detainees across state lines”).  
Indeed, Federal Respondents have violated this Court’s Orders in individual habeas cases filed by  
Class Members. See, e.g., Solis v. Noem, No. 2:26-CV-00053-RFB-EJY, 2026 WL 776981 (D.  
Nev. Mar. 19, 2026); Ramirez Mendez v. Knight, No. 2:26-cv-00375-RFB-DJA, ECF No. 13 (D.  
Nev. Mar. 6, 2026); Jimenez Gomez v. Mullin, No. 2:26-cv-0922-RFB-DJA, ECF No. 12 (D. Nev.  
Ap. 10, 2026).

1 relief.

2 For the foregoing reasons, **IT IS HEREBY ORDERED** that **Federal Defendants** must  
3 provide the following forms, **in English and Spanish**, which are attached to this Order as  
4 **Appendix A**: (1) Class Action Notice, (2) Jacobo-Ramirez Class Action Membership Inquiry  
5 Form, and (3) Class Member Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241 with  
6 instructions [collectively “Jacobo-Ramirez Class Member Notice Forms”] to Class Members as  
7 follows:

- 8 1. By **April 24, 2026**, **Federal Defendants** must individually serve the Jacobo-Ramirez  
9 Class Member Notice Forms to **all** noncitizens who are currently detained in  
10 Immigration and Customs Enforcement (“ICE”) custody and subject to removal  
11 proceedings before an immigration court within the District of Nevada, **EXCEPT** for  
12 (1) noncitizens who were inspected upon entry and lawfully admitted into the United  
13 States and (2) noncitizens subject to a *final* order of removal. If the noncitizen is unable  
14 to understand English or Spanish, Federal Defendants must provide the Jacobo-  
15 Ramirez Class Member Notice Forms in a language which the noncitizen can  
16 understand or secure an interpreter to translate the documents as soon as feasible.
- 17 2. By **April 24, 2026**, **Federal Defendants** must provide the Jacobo-Ramirez Class  
18 Member Notice Forms to **ALL** noncitizens newly arrested and detained by immigration  
19 officers who are (1) charged as inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i) **AND**  
20 (2) subject to removal proceedings before an immigration court within Nevada. If the  
21 noncitizen is unable to understand English or Spanish, Federal Defendants must  
22 provide the Jacobo-Ramirez Class Member Notice Forms in a language which the  
23 noncitizen can understand or secure an interpreter to translate the documents as soon  
24 as feasible.
- 25 3. **Federal Defendants** shall record the individualized service of the Class Member  
26 Notice Forms and retain a copy of each Notice served.

27 **IT IS FURTHER ORDERED** that by **April 24, 2026**, **Defendants** shall post the “Class  
28 Action Notice” in **English and Spanish** in appropriate common areas of any facility holding

1 immigration detainees in Nevada or in any geographic area over which, as of October 30, 2025,  
2 an immigration court located in Nevada is the administrative control court, including but not  
3 limited to printed displays in common areas, displays on tables or other electronic devices  
4 accessible to detainees, and a running message displayed on televisions located in detainee cells  
5 or common areas. In addition to Federal Defendants, **Defendants Mattos, Warden, and Balaam**  
6 shall ensure compliance with this Order.

7 **IT IS FURTHER ORDERED** that by April 24, 2026, any facility holding immigration  
8 detainees in Nevada or in any geographic area over which, as of October 30, 2025, an immigration  
9 court located in Nevada is the administrative control court, shall establish a separate secured  
10 container allowing potential Class Members to submit the (1) Jacobo-Ramirez Class Action  
11 Membership Inquiry Form, and (2) Class Member Petition for Writ of Habeas Corpus Under 28  
12 U.S.C. § 2241, and shall coordinate with class counsel to establish a process for transferring  
13 custody of the forms on a weekly basis. In addition to Federal Defendants, **Defendants Mattos,**  
14 **Warden, and Balaam** shall ensure compliance with this Order.

15 **IT IS FURTHER ORDERED** that beginning May 1, 2026, **Federal Defendants** shall  
16 provide the following notice to class counsel **on an ongoing basis**:

- 17 1. **Weekly** confirmation of the service of each notice to individual Class Members as  
18 outlined above;
- 19 2. **Biweekly** (once every two weeks) notice to class counsel of bond hearings provided to  
20 Class Members, and the outcome of said hearings;
- 21 3. Notice within 24 hours prior to any transfer of a Class Member outside of the District  
22 of Nevada, or, where 24 hours' prior notice is not reasonably practicable, within 24  
23 hours after the transfer is initiated; and
- 24 4. Notice to class counsel within 24 hours if a class member is issued a removal order.

25 **DATED:** April 22, 2026.

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28 **RICHARD F. BOULWARE, II**  
**UNITED STATES DISTRICT JUDGE**