

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

CLAYTON RICHARD GORDON,)
GUSTAVO RIBEIRO FERREIRA,)
VALBOURN SAHIDD LAWES,)
NHAN PHUNG VU, and)
CESAR CHAVARRIA RESTREPO,)
on behalf of themselves and others)
similarly situated,)
Plaintiffs-Petitioners,)
v.)
JOHN F. KELLY, ET AL.,)
Defendant-Respondents.)

Civ. No. 13-30146

~~(PROPOSED)~~ ORDER

By agreement of the parties, and purely on an interim basis until the conclusion of the currently-active proceedings on remand, the Court hereby

ORDERS the following interim relief:

- 1) Defendants shall not detain any class member under 8 U.S.C. § 1226(c).
- 2) Defendants shall determine the custody of every class member under 8 U.S.C. § 1226(a) and provide a bond hearing to every class member that seeks a redetermination of his or her custody by an Immigration Judge pursuant to 8 C.F.R. §§ 1003.19 & 1236.1(d).

This remedy applies to the previously certified class of:

MAP
2/10/17

all aliens who are or will be detained in Massachusetts under 8 U.S.C. § 1226(c), whom the government alleges to be subject to a ground of removability as described in 8 U.S.C. § 1226(c)(1)(A)-(D), and who were not taken into immigration custody within forty-eight hours (or, if a weekend or holiday intervenes, within no more than five days) of release from the relevant predicate custody.

ECF No. 114.

This interim relief shall remain in place until further order of this Court is issued at the conclusion of the currently-active proceedings on remand. This interim order shall have no effect after such time.

Dated: 2/10/17


United States District Court Judge