KIMBERY A. SANCHEZ
Acting United States Attorney
KAREN A. ESCOBAR
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

BYRON ADILIO ALFARO-SANDOVAL,

Defendant.

CASE NO: 1:22-CR-00131-JLT-SKO

AMENDED ORDER FOR THE DEFENDANT TO BE TRANSPORTED TO THE DISTRICT COURT FOR FURTHER PROCEEDINGS

Having considered the government's motion and memorandum of points and authorities regarding pod extraction and now having received and reviewed an email from defense counsel explaining why her client failed to exit the pod[1], the Court **ORDERS:**

1. Contract officers and personnel for the Golden State Annex or any law enforcement officer, may remove the Defendant from his pod, using **reasonable force** *if he refuses to comply with orders to exit the pod* to bring him to proceedings in this Court. This order does not authorize the use of

[1] Counsel reports that the defendant's immigration attorney told him that staff members "could not transport him away from immigration custody without speaking to his immigration lawyer." She details other "anomalies" with the immigration case paperwork, which does not involve this Court. However, of course, the immigration lawyer failed to appreciate that this criminal proceeding is ongoing and her advice to him has caused him to disobey an order of this Court.

The Court presumes that now that the defendant has been advised that he must comply with the orders to appear in this Court, he will comply with those orders and the orders from the detention staff to leave his pod for purposes of transport to this Court. To be clear, no matter what his immigration lawyer has told him about refusing to leave his pod, he **SHALL** comply with this Court's orders to be transported for court hearings.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

force to remove him from his pod for immigration proceedings or any other proceedings outside of those occurring in this District Court.

2. Before being ordered to leave the pod, staff members **SHALL** provide him a copy of this order and, if he does not read English, they **SHALL** read it to him in a language he understands. He is advised that this Court has ordered that he appear in court and that his refusal to comply with that order and orders to exit his pod for purposes of transportation to court, will result in the officers using force to bring him to court.

3. Once he is out of the pod, he **SHALL** be delivered to the United States District Court for the Eastern District of California at 2500 Tulare Street, Fresno, California 93721 for any future hearings in this matter, including the status conference before the Honorable Sheila K. Oberto **on August 20, 2025, at 11:00 a.m.** and the hearing to reopen the defendant's detention hearing before the Honorable Barbara A. McAuliffe **on August 25, 2025, at 2:00 p.m**.

IT IS SO ORDERED.

Dated: **August 13, 2025**

Jennifer L. Thurston
UNITED STATES DISTRICT JUDGE