



**U.S. Department of Justice**

United States Attorney  
District of New Jersey  
*Civil Division*

Alex Silagi  
Assistant United States Attorney  
Deputy Chief, Civil Division

970 Broad Street, Suite 700  
Newark, New Jersey 07102  
alex.silagi@usdoj.gov

main: (973) 645-2700  
direct: (973) 297-2038  
fax: (973) 297-2010

December 9, 2025

**Via ECF**

Honorable Renée Marie Bumb, C.U.S.D.J.  
Mitchell H. Cohen Building & U.S. Courthouse  
4th & Cooper Streets  
Camden, NJ 08101

**Re: *Gao v. Bondi*, No. 25-18013  
Answer to § 2241 Petition**

Dear Chief Judge Bumb:

This Office represents Respondents in these habeas matters filed by a noncitizen challenging the legality of his detention by U.S. Immigration and Customs Enforcement (“ICE”) pursuant to 8 U.S.C. § 1225(b)(2). We respectfully submit this letter response in light of the Court’s recent decisions concerning § 1225(b)(2).<sup>1</sup> Respondents’ legal position on the § 1225(b)(2) issue here is identical to their position in the prior § 1225(b)(2) matters.

Here, Petitioner is a native of China. Pet. ¶ 1. Petitioner entered the United States without having been paroled or admitted in September 2023. *Id.* On November 6, 2025, ICE officers detained Petitioner. *Id.* ¶ 2. Petitioner is in ICE detention without bond pursuant to the U.S. Department of Homeland Security’s interpretation of “applicants for admission” under § 1225(b)(2) and the Board of Immigration

---

<sup>1</sup> See, e.g., *Gu v. Almodovar*, No. 25-17746 (RMB) (D.N.J. Dec. 4, 2025); *Ayala Amaya v. Bondi*, No. 25-16427 (ESK), 2025 WL 3033880 (D.N.J. Oct. 30, 2025); *Smit Patel v. Almodovar*, No. 25-15345 (SDW), 2025 WL 3012323 (D.N.J. Oct. 28, 2025); *Lomeu v. Lyons*, No. 25-16589 (EP), 2025 WL 2981296 (D.N.J. Oct. 23, 2025); *Contreras Maldonado v. Cabezas*, No. 25-13004 (JKS), 2025 WL 2985256, at \*2 (D.N.J. Oct. 23, 2025); *Soto v. Soto*, No. 25-16200 (CPO), 2025 WL 2976572 (D.N.J. Oct. 22, 2025); *Castillo v. Lyons*, No. 25-16219 (MEF), 2025 WL 2940990 (D.N.J. Oct. 10, 2025); *Rivera Zumba v. Bondi*, No. 25-14626 (KSH), 2025 WL 2753496 (D.N.J. Sept. 26, 2025).

Appeals’ (“BIA”) recent decision in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). *Id.* ¶ 5. Petitioner argues his detention without bond under § 1225(b)(2) is unlawful, and he seeks immediate release. *Id.*, Prayer for Relief ¶ (4).

Respondents contend, as they have in all other cases involving § 1225(b)(2) detention in this District, that the Petitioner’s detention is governed by § 1225(b)(2) because he is an alien who entered without inspection or parole and was detained by immigration authorities in the interior of the country without having been lawfully admitted. Accordingly, Petitioner is an “applicant for admission,” who is not entitled to a bond hearing. Respondents further contend that the only remedy, if the Court finds § 1225 does not apply, is a bond hearing under § 1226(a) not immediate release.

Here, Respondents acknowledge that their answer to this Petition relies on the same statutory arguments that Your Honor has rejected in matters such as *Gu v. Almodovoar*, No. 25-17746 (RMB) (D.N.J. Dec. 4, 2025), and this Petition asserts the same relevant facts as in those petitions. Respondents accordingly provide this expedited response pursuant to ECF No. 3, and given the similar issues, the importance of efficient resolution of this habeas petition, and the preservation of the Court’s and the parties’ resources.<sup>2</sup>

We thank the Court for its attention to this matter.

Respectfully submitted,

TODD BLANCHE  
U.S. Deputy Attorney General

JORDAN FOX  
Chief of Staff to the  
Deputy Attorney General  
Associate Deputy Attorney General  
Special Attorney

By: s/Alex Silagi  
ALEX D. SILAGI  
Assistant United States Attorney  
Deputy Chief, Civil Division

---

<sup>2</sup> In recent matters, the Court has summarily adjudicated § 1225(b)(2) habeas matters without requiring a formal answer because Respondents stipulated to material facts and legal issues. *See Ortega Alvarez v. Bondi*, No. 25-17401 (MEF), ECF 4 (D.N.J. Nov. 14, 2025) (ordering relief without answer); *Moreira Da Silva v. LaForge*, No. 25-17095 (EP), ECF 6 (D.N.J. Nov. 13, 2025) (ordering bond hearing without answer); *Vicens-Marquez v. Soto*, No. 25-16906 (KSH), ECF 15 (same).

*Attorneys for Respondents*

cc: Counsel of record (ECF)