

1 ADAM GORDON
United States Attorney
2 KELLY A. REIS
Assistant U.S. Attorney
3 California Bar No. 334496
Office of the U.S. Attorney
4 880 Front Street, Room 6293
San Diego, CA 92101-8893
5 Telephone: (619) 546-8767
Facsimile: (619) 546-7751
6 Email: kelly.reis@usdoj.gov

7 Attorneys for Respondents

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10 **UNITED STATES DISTRICT COURT**

11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 MARVIN ROMERO FLORES,

13 Petitioner,

14
15 v.

16 KRISTI NOEM, U.S. Department of
Homeland Security; *et al.*,

17 Respondents.
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Case No.: 25-cv-3576-RSH-DEB

RESPONSE TO PETITION

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1 Petitioner appears to be a member of the Bond Eligible Class certified in *Maldonado*
2 *Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ---, 2025 WL
3 3288403 (C.D. Cal. Nov. 25, 2025). The *Bautista* court has entered final judgement as to
4 the Bond Eligible Class. *Bautista*, No. 5:25-CV-01873-SSS-BFM, ECF No. 94.
5 Accordingly, Respondents acknowledge that Petitioner is detained under 8 U.S.C.
6 § 1226(a) and is entitled to an order from this Court directing a bond hearing be held
7 pursuant to 8 U.S.C. § 1226(a).¹

8 Respondents reserve the right to supplement this response in the event of a stay of
9 enforcement of the *Bautista* final judgment, appellate relief, or a change in DHS policy.

10 DATED: January 6, 2026

ADAM GORDON
United States Attorney

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12 s/ Kelly A. Reis
KELLY A. REIS
Assistant United States Attorney

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26 ¹ To the extent the Court issues an order directing a bond hearing under § 1226(a),
27 considering current and forthcoming federal holidays, heavy caseloads, and staffing levels,
28 Respondents respectfully request that such order provide the government 14 days from
issuance to hold such bond hearing.