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10 Attorneys for Respondents

11 **UNITED STATES DISTRICT COURT**  
12 **SOUTHERN DISTRICT OF CALIFORNIA**

14 MIGUEL LOPEZ PEREZ,  
15 Petitioner,

16 v.

17 CHRISTOPHER J. LAROSE, Senior  
18 Warden, Otay Mesa Detention Center, et  
19 al.,  
20 Respondents.

Case No.: 25CV3590 JLS (KSC)

**RESPONDENTS' RETURN TO  
HABEAS PETITION**

21  
22 Petitioner appears to be a member of the Bond Eligible Class certified in  
23 *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d --  
24 -, 2025 WL 3288403 (C.D. Cal. Nov. 25, 2025). The *Bautista* court has now entered  
25 final judgment as to the Bond Eligible Class. *Bautista*, ECF No. 94. Absent a stay of  
26 the *Bautista* ruling, Respondents acknowledge that Petitioner is detained under 8  
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1 U.S.C. § 1226(a) and is entitled to a bond hearing pursuant to 8 U.S.C. § 1226(a).<sup>1</sup>

2 The Immigration Court scheduled a bond hearing for Petitioner on December  
3 22, 2025. See Ex. 1 hereto.<sup>2</sup> He is entitled to an order from this court ordering that a  
4 bond hearing occur in accordance with 8 U.S.C. § 1226(a) and stating that bond  
5 cannot be denied on the basis that 8 U.S.C. § 1225(b)(2) requires mandatory  
6 detention.

7 DATED: December 19, 2025

Respectfully submitted,

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9 ADAM GORDON  
United States Attorney

10 *s/ Cindy Cipriani*  
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Assistant United States Attorney  
12 Attorneys for Respondents  
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26 <sup>1</sup> Respondents reserve the right to assert additional arguments regarding the legal  
issues if the *Bautista* order is stayed.

27 <sup>2</sup> The attached document is a true and correct copy of a government record  
obtained from ICE.  
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