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10 Inderjeet Singh

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13 UNITED STATES DISTRICT COURT
14 SOUTHERN DISTRICT OF CALIFORNIA
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16 Inderjeet Singh, an individual,
17
18 Petitioner-Plaintiff,

19 v.

20 Patrick DIVVERS, Field Office
21 Director of San Diego Office of U.S.
22 Immigrations and Customs
23 Enforcement; U.S. Department of
24 Homeland Security; Ryan HICKS,
25 Assistant Field Office Director of ICE;
26 Todd M. LYONS, Acting Director,
27 Immigration and Customs
28 Enforcement, U.S. Department of
Homeland Security; Kristi NOEM, in
them Official Capacity, Secretary,
U.S. Department of Homeland
Security; Pam BONDI, in them
Official Capacity, Attorney General of
the United States; and Jeremy
CASEY, Warden, Imperial Regional
Detention Facility; and
ALL PERSONS HAVING CUSTODY
OF THE PETITIONER,

Respondents-Defendants.

Case No.: 3:25-cv-3671-JES-BLM

**PETITIONER'S RESPONSE AND
OPTIONAL TRAVERSE TO
RESPONDENT'S RETURN**

1 Petitioner, by and through undersigned counsel, respectfully submits this Response and Optional
2 Traverse to Respondents' Return and states as follows:

- 3 1. Respondents concede that Petitioner is detained pursuant to 8 U.S.C. § 1226(a) and that he
4 is entitled to a bond hearing under that statute. Respondents' concession is consistent with
5 the final judgment entered in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-
6 BFM (C.D. Cal. Dec. 18, 2025), which declared unlawful the Department of Homeland
7 Security's "Interim Guidance Regarding Detention Authority for Applicants for
8 Admission." Accordingly, there is no dispute that Petitioner is entitled to a bond hearing
9 before an Immigration Judge pursuant to 8 U.S.C. § 1226(a).
- 10 2. Respondents' concession confirms the core claim raised in the Petition: that Petitioner's
11 continued detention without a bond hearing has been unlawful and unconstitutional. Civil
12 immigration detention must remain reasonably related to its regulatory purpose. Detention
13 without an individualized determination of flight risk or danger violates the Due Process
14 Clause of the Fifth Amendment. Respondents' acknowledgment does not moot the Petition,
15 and this Court retains jurisdiction to order effective and timely relief.
- 16 3. The facts of Petitioner's case further demonstrate that continued detention without a bond
17 hearing is constitutionally excessive and unjustified. Petitioner previously bonded out of
18 immigration custody in 2016 on a \$30,000 bond, which he successfully posted and with
19 which he fully complied. Petitioner has a pending immigration case in New York, where he
20 currently resides, and has filed an asylum application with the Immigration Court,
21 demonstrating his intent to pursue relief through lawful channels.
- 22 4. Petitioner also has significant ties to the United States that weigh strongly against any
23 finding of flight risk or danger. He has been continuously employed as a professional truck
24 driver since 2019. On November 6, 2024, Petitioner married a United States citizen in the
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State of New York, further establishing family, community, and legal ties to this country. These equities underscore that Petitioner’s detention without a bond hearing is punitive rather than regulatory in nature. He has in the United States for more than nine (9) years and have never departed the country when he was recently detained, and hence, he is not an applicant for admission.

5. To the extent Respondents purport to reserve the right to supplement their response based on a potential stay of enforcement, appellate relief, or future changes in DHS policy, Petitioner objects. The Court’s determination must be based on the law and facts as they exist at present. Speculative future developments do not justify continued detention or delay in affording constitutionally required process.

6. Accordingly, Petitioner respectfully requests that the Court:

- a. Grant the Petition to the extent Respondents have conceded that Petitioner is detained under 8 U.S.C. § 1226(a);
- b. Order Respondents to provide Petitioner with a bond hearing before an Immigration Judge pursuant to 8 U.S.C. § 1226(a) within a prompt and specified timeframe;
- c. Retain jurisdiction to ensure compliance with the Court’s order; and
- d. Grant such other and further relief as the Court deems just and proper.

Dated: December 26, 2025

Respectfully submitted,

/s/ Mandeep S. Rupal
Mandeep S. Rupal
Attorney for Petitioner