

1 ADAM GORDON  
United States Attorney  
2 SHITAL H. THAKKAR  
3 Illinois Bar No. 6273151  
Assistant U.S. Attorneys  
4 Office of the U.S. Attorney  
5 880 Front Street, Room 6293  
San Diego, CA 92101-8893  
6 Telephone: (619) 546-8785  
7 Facsimile: (619) 546-7751  
8 Email: shital.thakkar@usdoj.gov

9 Attorneys for Respondents

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

13 GURDEEP SINGH,

14 Petitioner,

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16 v.

17 JEREMY CASEY, et al.,

18 Respondents.  
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Case No.: 25-cv-03758-AGS-BLM

**RESPONSE TO PETITION**

1 On July 8, 2025, the Department of Homeland Security (“DHS”) instituted a  
2 notice titled “Interim Guidance Regarding Detention Authority for Applicants for  
3 Admission” (the “Notice”) requiring, in general, that anyone arrested in the United  
4 States and charged with being inadmissible to be considered an “applicant for  
5 admission” under 8 U.S.C. § 1225(b)(2)(A), subject to mandatory detention under 8  
6 U.S.C. § 1225(b)(2)(A) and not subject to detention under 8 U.S.C. § 1226(a).

7 In *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp.  
8 3d ---, 2025 WL 3289861 (C.D. Cal. Nov. 20, 2025), the district court declared the  
9 Notice unlawful under the Administrative Procedures Act but did not issue a final  
10 judgment. On December 18, 2025, however, the *Bautista* court entered final judgement.  
11 *Bautista*, ECF No. 94. Accordingly, Respondents acknowledge that Petitioner is  
12 detained under 8 U.S.C. § 1226(a) and is entitled to an order from this Court directing  
13 a bond hearing be held pursuant to 8 U.S.C. § 1226(a).

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

17 DATED: December 30, 2025

Respectfully submitted,

18 ADAM GORDON  
19 United States Attorney

20 *s/Shital H. Thakkar*  
21 Assistant United States Attorney  
22 Attorney for Respondents  
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