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9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 SERGIO ESCOBAR-MENDOZA,
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13 Petitioner,

14 v.

15 CHRISTOPHER J. LAROSE, SENIOR
WARDEN, OTAY MESA DETENTION
16 CENTER; *et al.*,

17 Respondents.
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Case No.: 3:26-cv-0078-JES-DEB
RESPONSE TO PETITION

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*, ECF No. 94. Accordingly, Respondents acknowledge
5 that Petitioner is detained under 8 U.S.C. § 1226(a) and is entitled to an order from this
6 Court directing a bond hearing be held pursuant to 8 U.S.C. § 1226(a).¹ No evidentiary
7 hearing is necessary.²

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 9, 2026

ADAM GORDON
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11 s/ Glen F. Dorgan
12 GLEN F. DORGAN
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23 ¹ To the extent the Court issues an order directing a bond hearing under 1226(a),
24 considering heavy caseloads and staffing levels, Respondents respectfully request that such
25 order provide the government 14 days from issuance to hold such bond hearing.

26 ² Respondents acknowledge that, on July 11, 2025, the immigration judge issued an order
27 releasing Petitioner under a bond of \$2,500 and subject to ATD at DHS' discretion. *See*
28 *Petition*, Ex. "B." That order was subsequently vacated, *see id.*, Ex. "C," and, on remand,
bond was denied, *see id.*, Ex. "D."