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

11 RAMIRO TAPIA CIELO,

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13 Petitioners,

14 v.

15 JEREMY CASEY,

16 Respondents.
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Case No.: 26-CV-0097-BJC VET

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 are entitled to an order from this
6 Court directing that he be released pursuant to the conditions a bond hearing be held¹
7 pursuant to 8 U.S.C. § 1226(a).²

8 Given the Government's acknowledgement that Petitioner is entitled to a bond
9 hearing, Petitioner's claims regarding his conditions of confinement and the potential 4th
10 Amendment violations surrounding his arrest are moot. Should the Court desire argument
11 on those issues the Government requests the opportunity to address them in supplemental
12 briefing.

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

15 DATED: December 16, 2025

ADAM GORDON
United States Attorney

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17 s/Stephen H. Wong
STEPHEN H. WONG
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24 ¹ Respondents acknowledge that the Immigration Judge's order and alternative finding,
25 indicating that the Immigration Court would release Petitioner on a \$2,000 bond and
conditions of release, if it had jurisdiction, may make any additional bond hearing moot.

26 ² To the extent the Court issues an order directing a bond hearing under 1226(a),
27 considering heavy caseloads and staffing levels, Respondents respectfully request that such
28 order provide the government 14 days from issuance to hold such bond hearing.