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3 **IN THE UNITED STATES DISTRICT COURT**  
4 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

3 **PRABHJIT SINGH,**  
4 *Petitioner,*

4 v.

5 **KRISTI NOEM,**  
6 **In her official capacity as Secretary**  
7 **of Homeland Security, et al**

7 *Respondents.*

Civil No. 26-CV-0261-RBM-MSB

TRAVERSE TO PETITION

9 Petitioner, through counsel, agrees with Respondents that the Petition should be granted, but  
10 asks the Court not to order a bond hearing, but rather to issue an order requiring Respondents  
11 release Petitioner immediately and not re-detain him without a pre-deprivation hearing before a  
12 neutral arbiter with at least seven (7) days notice, at which the burden of proof shall be on the  
13 government to prove by clear and convincing evidence that Petitioner is such a flight risk or danger  
14 to the community that no combination of monetary bond and/or alternatives to detention would be  
15 sufficient to secure his attendance at any future hearings. *See A.E.R.T v. Wofford*, 1:25-cv-01824-  
16 KES-SKO (ED.Ca. Dec. 16, 2025) (“respondents’ detention of petitioner pursuant to 8 U.S.C. §  
17 1225(b)(2)(A) is unlawful and did not comply with due process. When the government detained  
18 petitioner, it also did not comply with the terms of 8 U.S.C. § 1226(a), and there is no evidence in  
19 the record that petitioner was arrested pursuant to a warrant as required by § 1226(a). Petitioner’s  
20 immediate release is the appropriate remedy.”)

23 Dated: January 15, 2026

/s/ Nilima Patel Shah

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