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9 **UNITED STATES DISTRICT COURT**

10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 LUIS ANGEL ONATE VARGAS

12  
13 Petitioner,

14 v.

15 KRISTI NOEM; et al.,

16 Respondents.  
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Case No.: 26-CV-0310-BAS-JLB

**RETURN TO HABEAS 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 a bond hearing be held pursuant to 8 U.S.C. § 1226(a).

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

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10           DATED: January 26, 2026

Respectfully Submitted

11           ADAM GORDON  
12           United States Attorney

13           *s/ Michael D. Wallace*  
14           MICHAEL D. WALLACE  
15           Assistant United States Attorney