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7 Attorneys for Respondents

8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 JAGROOP SINGH,

Petitioner,

11 v.
12

13 GREGORY J. ARCHAMBEAULT, ICE
Field Office Director for San Diego, in his
14 official capacity; SIXTO MARRERO,
Warden, Imperial Regional Detention
15 Facility, in his official capacity,

16 Respondents.

Case No.: 26-cv-0334 TWR (MMP)

**RESPONSE TO PETITION
FOR WRIT OF HABEAS CORPUS**

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

23 In *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp.
24 3d ---, 2025 WL 3289861 (C.D. Cal. Nov. 20, 2025), the district court declared the
25 Notice unlawful under the Administrative Procedures Act but did not issue a final
26 judgment. On December 18, 2025, however, the *Bautista* court entered final judgement.
27

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

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

7 DATED: January 26, 2026

Respectfully submitted,

8 ADAM GORDON
9 United States Attorney

10 *s/ Cindy M. Cipriani*
11 CINDY M. CIPRIANI
12 Assistant United States Attorney
13 Attorney for Respondents
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26 _____
27 ¹ To the extent the Court issues an order directing a bond hearing under 1226(a),
28 considering heavy caseloads and staffing levels, Respondents respectfully request that
such order provide the government 14 days from issuance to hold such bond hearing.