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

11
12 OLGA LIDIA ZAMORA RAMALES,

13 Petitioners,

14 v.

15 CHRISTOPHER J. LAROSE, et al.,

16 Respondents.
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Case No.: 26-cv-501-DMS-DDL

RETURN TO PETITION

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2 Petitioner has been in the United States since 1989. ECF No. 1 at ¶ 1. On July 8,
3 2025, the Department of Homeland Security (“DHS”) instituted a notice titled “Interim
4 Guidance Regarding Detention Authority for Applicants for Admission” (the “Notice”)
5 requiring, in general, that anyone arrested in the United States and charged with being
6 inadmissible to be considered an “applicant for admission” under 8 U.S.C.
7 § 1225(b)(2)(A), subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A) and not
8 subject to detention under 8 U.S.C. § 1226(a).

9 In *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d
10 ---, 2025 WL 3289861 (C.D. Cal. Nov. 20, 2025), the district court declared the Notice
11 unlawful under the Administrative Procedures Act but did not issue a final judgment. On
12 December 18, 2025, however, the *Bautista* court entered final judgement. *Bautista*, ECF
13 No. 94. Accordingly, Respondents acknowledge that Petitioner is detained under 8 U.S.C.
14 § 1226(a) and is entitled to an order from this Court directing a bond hearing be held
15 pursuant to 8 U.S.C. § 1226(a).¹

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

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19 DATED: January 29, 2026

ADAM GORDON
United States Attorney

s/ Juliet M. Keene
JULIET M. KEENE
Assistant United States Attorney

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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.