



1 Petitioner submits this Traverse and Memorandum to comply with the Court's order and the  
2 habeas corpus procedure and to expedite the process.

3 As a threshold matter, petitioner agrees with respondents that this petition has been resolved  
4 in another court case. For instance, petitioner appears to be a member of the Bond Eligible Class  
5 certified in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ---,  
6 2025 WL 3288403 (C.D. Cal. Nov. 25, 2025). The *Bautista* court has now entered a final judgment  
7 in that case. The final judgment essentially overrules the BIA case of *Yajure-Hurtado*.

8 Still, the Otay Mesa OPLA attorneys have apparently been ordered to reject the *Bautista*  
9 judgment by continuing to argue there is no bond jurisdiction. Plus, the immigration judges at the  
10 Otay Mesa Immigration Court have concluded that the *Bautista* case was wrongly decided. The  
11 judges will not accept bond jurisdiction without a District Court order.

12 Petitioner still requests an order that petitioner is detained under 1226(a) because despite the  
13 *Bautista* Judgment the OPLA trial attorneys at Otay Mesa Immigration Court continue to argue that  
14 noncitizens like petitioner are detained under 1225.

15 DATED: 11 February 2026

16 Respectfully submitted,

17 /s/ *William Baker*  
18 William Baker (157 906)  
19 MORENO & ASSOCIATES  
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