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18 UNITED STATES DISTRICT COURT

19 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

20 NAYADE MACEO AGUILERA,

21 *Petitioner,*

22 v.

23 THE CITY OF HOLTVILLE, CA,
24 owner of the Imperial Regional Detention
25 Center; JEREMY CASEY, Warden of the
26 Imperial Regional Detention Center; DANIEL
27 A. BRIGHTMAN, Director of the U.S.
28 Immigration and Customs Enforcement San
Diego Field Office; TODD LYONS, acting
Director of U.S. Immigration and Customs
Enforcement; KRISTI NOEM, Secretary of
the U.S. Department of Homeland Security;
and PAM BONDI, U.S. Attorney General.

Case No. 3:26-cv-00532-LL-MSB

**PETITIONER'S TRAVERSE IN
SUPPORT OF VERIFIED
EMERGENCY PETITION FOR A
WRIT OF HABEAS CORPUS**

TRAVERSE

The Government's ½-page Return fails and/or declines to address any of the substantive legal bases Petitioner Nayade Maceo Aguilera ("Ms. Maceo Aguilera") asserts in her Petition (Dkt. No. 1) seeking expedited habeas relief. The government cites solely *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ---, 2025 WL 3289861 (C.D. Cal. Nov. 20, 2025), seemingly to suggest that Petitioner is entitled only to a bond hearing pursuant to 8 U.S.C. § 1226(a). This fundamentally mischaracterizes the relief Ms. Maceo Aguilera seeks in this case.

Maldonado Bautista is entirely irrelevant to the instant Petition. The issue in this case is not whether Ms. Maceo Aguilera is entitled to a bond hearing. The issue in this case is that Ms. Maceo Aguilera was/is on valid parole through at least December 21, 2026 (Dkt. No. 1 (Habeas Pet.) ¶ 3)—a fact which the government's Return does not dispute—thus as a matter of law the government may not terminate her parole or re-detain her without pre-deprivation notice and a hearing at which the government must carry its burden to show that Ms. Maceo Aguilera is now a risk of danger or flight. *See* Dkt. No. 1 ¶¶ 28–39 (citing cases establishing this bright-line rule). Because she was validly paroled at the time she was re-detained, **she is not seeking a bond hearing**; Ms. Maceo Aguilera seeks habeas release pursuant to the terms of the parole that existed prior to this re-detention, arguing that summary revocation of her parole and/or re-detention without any pre-deprivation notice, rationale, hearing, or proof violated her Due Process rights. If the government desires to terminate Ms. Maceo Aguilera's parole and to re-detain her pursuant to that termination, it must comply with the process for doing so. *See id.* (setting forth legal framework for what Due Process for previously paroled individuals requires of the government).

Here, Ms. Maceo was summarily re-detained (and it is not entirely clear that this was formally done, but may have also had her parole revoked summarily) without pre-deprivation notice, rationale, a hearing, or the government establishing a change

1 in circumstances by clear and convincing evidence. Dkt. No. 1 ¶ 20–27, 38. The
2 government’s Return conspicuously does not address, much less dispute or disprove,
3 any of these facts. By refusing to address any of the substantive legal bases argued
4 in the Petition, the government has conceded Ms. Maceo Aguilera’s request for
5 habeas relief.

6 Accordingly, for the foregoing reasons and the reasons asserted in Ms. Maceo
7 Aguilera’s Habeas Petition, the Court should grant the Petition and order that Ms.
8 Maceo Aguilera be immediately released pursuant to the terms and conditions of her
9 parole as it existed upon her re-detention.

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12 Respectfully submitted,

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14 Dated: February 10, 2026

/s/ Cassandra Lopez
Cassandra Lopez
Litigation Director
AL OTRO LADO
Counsel for Petitioner
NAYADA MACEO AGUILERA

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20 _____
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Attestation of Authority to Include Electronic Signature

I hereby certify that the contents of this document are acceptable to all persons whose electronic signatures appear on this document. I hereby certify that I am authorized by all signing parties to file this document on their behalf.

Dated: February 10, 2026

ARENTFOX SCHIFF LLP



Douglas E. Hewlett, Jr.