

1 ADAM GORDON
 United States Attorney
 2 JULIA A. CLINE
 Special Assistant United States Attorney
 3 CA Bar #201624
 Office of the U.S. Attorney
 4 880 Front Street, Room 6293
 San Diego, CA 92101-8893
 5 Telephone: 619-546-7644
 Email: Julia.Cline@usdoj.gov
 6 Attorneys for Respondents
 7
 8

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

11 MARCO MIRELES GUTIERREZ,
 12
 13 Petitioner,
 14 v.
 15 CHRISTOPHER J. LAROSE; *et al.*,
 16 Respondents.
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28

Case No.: 26-cv-00586-CAB-SBC
RESPONSE TO 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).¹

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.

9 DATED: February 5, 2026

ADAM GORDON
United States Attorney

10
11 s/ Julia A. Cline
12 Julia A. Cline
13 Special Assistant United States Attorney
14
15
16
17
18
19
20
21
22
23
24
25

26 ¹ To the extent the Court issues an order directing a bond hearing under 1226(a),
27 considering heavy caseloads and staffing levels, Respondents respectfully request that such
28 order provide the government 14 days from issuance to hold such bond hearing.