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UNITED STATES DISTRICT COURT

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SOUTHERN DISTRICT OF CALIFORNIA

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GABRIEL PEREZ VELASQUEZ,

Case No.: 26cv0593 GPC JLB

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Petitioner,

RESPONSE TO PETITION

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v.

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Patrick, DIVVER, Field Office Director of
Enforcement and Removal Operations, San
18 Diego Field Office, Immigration and
Customs Enforcement; Todd M. LYONS,
19 Acting Director, U.S. Immigration and
Customs Enforcement; Kristi NOEM,
20 Secretary, U.S. Department of Homeland
Security; U.S. DEPARTMENT OF
21 HOMELAND SECURITY; Pamela
22 BONDI, U.S. Attorney General;
EXECUTIVE OFFICE FOR
23 IMMIGRATION REVIEW; Christopher J.
24 LAROSE, Warden of Otay Mesa Detention
Facility,

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Respondents.

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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 is 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.

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DATED: February 5, 2026

ADAM GORDON
United States Attorney

s/ Leslie M. Gardner
Leslie M. Gardner
Assistant United States Attorney

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