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7 Attorneys for Respondents

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

10 JOSE HECTOR CRUZ RODRIGUEZ,

11 Petitioner,

12 v.

13 CHRISTOPHER J. LAROSE, Warden of
Otay Mesa Detention Center, *et al.*,

14 Respondents.

Case No.: 26-cv-00627-CAB-DEB

RESPONSE TO PETITION

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1 Petitioner appears to be a member of the Bond Eligible Class certified in
2 *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ---,
3 2025 WL 3288403 (C.D. Cal. Nov. 25, 2025). The *Bautista* court has entered final
4 judgement as to the Bond Eligible Class. *Bautista*, ECF No. 94. Accordingly,
5 Respondents acknowledge that Petitioner is detained under 8 U.S.C. § 1226(a) and are
6 entitled to an order from this Court directing a bond hearing be held pursuant to 8 U.S.C.
7 § 1226(a).¹

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

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12 DATED: February 11, 2026

Respectfully submitted,

13 ADAM GORDON
14 United States Attorney

15 *s/ Tom Merritt*
16 _____
17 TOM MERRITT
18 Assistant United States Attorney
19 Attorney for Respondents
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27 _____
28 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.