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

10 YUTONG LI,

11 Petitioner,

12 v.

13 KRISTI NOEM, Secretary of the U.S.  
Department of Homeland Security, in her  
14 official capacity; et al.,

15 Respondents.

Case No.: 26cv1318-LL-DEB

**RETURN TO PETITION FOR  
WRIT OF HABEAS CORPUS  
AND MOTION TO DISMISS**

16 The Court must dismiss the above-captioned petition because Petitioner filed an  
17 identical petition on February 25, 2026, in 26-cv-1223-DMS-MMP. The two petitions  
18 are entirely duplicative: the same petitioner, counsel, claims, arguments, and exhibits.  
19 The matter in 26-cv-1223-DMS-MMP is proceeding in due course, with the  
20 Government's Return in that matter due today.

21 Petitioner is represented by the same attorney, JJ Zhang, in both cases. In the  
22 Civil Cover Sheet (Form JS 44) filed with this matter Petitioner's attorney did not  
23 disclose the related case. Dk. 1-1. This violated Civ. L.R. 40.1(f), which requires  
24 counsel to file a notice of related case whenever counsel "has reason to believe" that a  
25 proceeding on file or about to be filed is related to another pending action in this or any  
26 other federal or state court. This is a "continuing duty" that applies not only when  
27 counsel files a case but also applies "whenever counsel learns of a related action or  
28 proceeding." *Id.*

1 The purpose of this rule is to avoid “the potential for duplication of judicial  
2 resources and inconsistent results in litigation and suggesting an appearance of forum-  
3 shopping on their claims.” *Hollywood v. Carrows Cal. Family Restaurants*, C.D. Cal.  
4 Dk. No. 18-cv-5607-JGB at \*5 (2019 WL 6178807.)

5 The Government does not assert that the duplicative filing and failure to follow  
6 the local rule was for tactical reasons, as opposed to negligence. But the Government  
7 notes that future duplicate filings may result in a motion to declare counsel a vexatious  
8 litigant. *See Id.* (finding Plaintiff’s to be vexatious litigants based on repeated violations  
9 of the local rule requiring the filing of notice of related case).

10 The Court should dismiss the petition with prejudice.

11 DATED: March 5, 2026

Respectfully submitted,

12  
13 ADAM GORDON  
14 United States Attorney

15 s/ Stephen H. Wong  
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