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5 Counsel for Petitioner
Samanpreet Singh Bath

6 UNITED STATES DISTRICT COURT FOR THE
7 SOUTHERN DISTRICT OF CALIFORNIA

8 SAMANPREET SINGH BATTH, 

9 

10 Petitioner,
11 v.

12 PAMELA BONDI, in her official capacity as
Attorney General,

13 KRISTI NOEM, in her official capacity as
14 Secretary of the Department of Homeland
Security,

15 U.S. DEPARTMENT OF HOMELAND
SECURITY,

16 JEREMY CASEY, in his official capacity as
17 Warden of Warden of the
Imperial Regional Adult Detention Facility,

18
19 TODD M. LYONS, in his official capacity as
20 acting director of US Immigration and Customs
Enforcement,
21 Respondents.

Case No. 3:26-cv-01362-

RBM-DEB

PETITIONER'S REPLY TO
RESPONDENT 'S NON-
OPPOSITION TO BOND

1
2 Petitioner Mr. Samanpreet Singh Batth ("Mr. Batth") respectfully submits this
3 reply to Respondent's non-opposition to bond. Pursuant to the Court's Order,
4 Petitioner does not request an evidentiary hearing. The issues are legal and may
5 be resolved on the existing record.

6 Petitioner notes Respondent's non-opposition to bond motion.
7 However, given the recent developments and trend in relation to bond hearings
8 conducted by immigration judges, Petitioner requests that immediate release be
9 ordered to avoid further violation of Respondent's due process rights. Even if Mr.
10 Batth were granted a bond hearing, recent trends suggest such a hearing may lack
11 the neutrality required by the Fifth Amendment. Courts have increasingly
12 observed that bond hearings conducted by immigration judges can be
13 fundamentally flawed or "pre-cooked," designed to result in findings of "danger
14 to the community" or "flight risk" without a fair consideration of the evidence.

15 For instance, in *Lozkhina v. Noem, et al.*, the court noted that the IJ
16 found the Petitioner was not a danger but claimed she was a flight risk "without
17 factual explanation or support," suggesting a "predetermined outcome based
18 on disagreement over [the Court's] previous order." No. 6:26-cv-3001-MDH
19 (W.D. Mo. Jan. 14, 2026). Similarly, in *Oliveira v. Freden, et al.*, the court
20 found the IJ "wholly failed" to follow directions regarding the "clear and
21

1 convincing evidence" burden of proof and failed to consider alternatives to
2 detention. No. 6:25-cv-06663-EAW (W.D.N.Y. Dec. 11, 2025). Finally, in
3 *A.D. v. Oddo, et al.*, the court ordered the immediate release of the Petitioner
4 after finding "unfair prejudice" when Respondents failed to comply with a
5 conditional writ order. No. 3:25-cv-00460-SLH-MPK (W.D. Pa. Dec. 3,
6 2025). Therefore, the direction to conduct a bond hearing would be futile in
7 the present case. In many such cases, the courts have ordered immediate
8 release.

9 For the foregoing reasons, Mr. Batth respectfully requests that this Court
10 grant his Petition for Writ of Habeas Corpus ordering Mr. Batth's immediate release
11 and order that Respondents may not re-detain him unless the government proves by
12 clear and convincing evidence at a bond hearing before a neutral decisionmaker that
13 petitioner is a flight risk or danger to the community.

14 **RESPECTFULLY SUBMITTED this 18th day of March , 2026**

15 **/s/Jagbir Terkiana**

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CERTIFICATE OF SERVICE

I, undersigned counsel, hereby certify that on this date, I filed this Petitioner's Response and any attachments using the CM/ECF system, which will send a Notice of Electronic Filing to all counsel of record.

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Dated: March 18, 2026