

1 ADAM GORDON
United States Attorney
2 MICHAEL D. WALLACE
Assistant United States Attorney
3 Maryland Bar No. 9912160256
Office of the U.S. Attorney
4 880 Front Street, Room 6293
San Diego, CA 92101-8893
5 Telephone: (619) 546-8714
Email: Michael.Wallace4@usdoj.gov

6 Attorneys for Respondents
7
8

9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA

11 MOHAMMED AWAL ABDUL
12 RAHMAN,

13 Petitioner,

14 v.

15 JEREMY CASEY, et al.,
16 Respondents.
17
18

Case No.: 26-cv-1418-RSH-BJW

RESPONSE TO PETITION

19 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. Petitioner is subject
20 to mandatory detention under 8 U.S.C. § 1225(b). *See Jennings v. Rodriguez*, 583 U.S.
21 281 (2018).

22 However, the government acknowledges that courts in this District have
23 repeatedly inferred a constitutional right against prolonged mandatory detention. Taking
24 into consideration those prior rulings and the length of time Petitioner has been in
25 custody, the government concedes that this Court should order that Petitioner receive a
26 bond hearing, where the government would bear the burden of proof of establishing, by
27 clear and convincing evidence, that Petitioner poses a danger to the community or a risk
28

1 of flight. *See Sadeqi v. LaRose*, No. 25-cv-2587-RSH-BJW, 2025 WL 3154520 (S.D.
2 Cal. Nov. 12, 2025); *Gao v LaRose*, No. 25-cv-2084-RSH-SBC, 2025 WL 2770633
3 (S.D. Cal. Sept. 26, 2025).

4
5 DATED: March 18, 2026

ADAM GORDON
United States Attorney

6
7 s/Michael D. Wallace
MICHAEL D. WALLACE
Assistant United States Attorney
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28