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10 **UNITED STATES DISTRICT COURT**
11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 HANIBAL TEKLE ZIENAGEBRIEL,

Civil Case No.: 26-cv-1385-BAS-MSB

13 Petitioner,

14 v.

15 KRISTI NOEM, Secretary of the
16 Department of Homeland Security,
17 PAMELA JO BONDI, Attorney General,
18 TODD M. LYONS, Acting Director,
19 Immigration and Customs Enforcement,
20 JESUS ROCHA, Acting Field Office
21 Director, San Diego Field Office,
22 CHRISTOPHER LAROSE, Warden at
23 Otay Mesa Detention Center,

24 Respondents.

**Traverse in
Support of
Petition for Writ of
Habeas Corpus**

1 In his amended habeas petition, Mr. Zienagebriel argued that his prolonged
2 detention without a bond hearing violated due process. As the remedy, he
3 requested that this Court grant his immediate release or at least a bond hearing
4 with additional safeguards—particularly that this Court 1) the IJ shall consider
5 alternative conditions of release and Petitioner’s ability to pay bond; and
6 2) Respondents shall make a complete record of the bond hearing available to
7 Petitioner’s counsel.

8 In response, Respondents oppose Mr. Zienagebriel’s request for immediate
9 release but state that this Court “should order a bond hearing in immigration
10 court, subject to the appropriate standards as set forth in *Singh v. Holder*, 638 F.3d
11 1196, 1203 (9th Cir. 2011). Dkt. 8 at 3. Thus, the only dispute in this case is what
12 form of relief Mr. Zienagebriel should receive.

13 Mr. Zienagebriel maintains that immediate release is the correct remedy in
14 his case. However, if this Court only orders the government to provide a bond
15 hearing, he asks that this Court include three requirements:

- 16 a. At the hearing, the government SHALL BEAR the burden of
17 establishing by clear and convincing evidence that Petitioner is a
18 danger to the community or a flight risk if released.
- 19 b. The IJ SHALL consider alternative conditions of release and
20 Petitioner’s ability to pay bond.
- 21 c. Respondents SHALL make a complete record of the bond hearing
22 available to Petitioner and his counsel.

23 *See Sandesh v. Noem*, 26-cv-846-JES-DDL, Dkt. 13 at 11 (S.D. Cal. Mar. 4,
24 2026). Mr. Zienagebriel also requests that this Court retain jurisdiction to review
25 the immigration judge bond decision to ensure compliance with the Court’s order
26 and due process.

Respectfully submitted,

Dated: March 19, 2026

s/ Kara Hartzler

Kara Hartzler

Federal Defenders of San Diego, Inc.

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