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9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA

Case No.: 26CV1455 RBM SBC

11 **ERCAN CETINKAYA,**



12
13 Petitioner,

14 v.

15 **PAMELA BONDI**, Attorney General of the
16 U.S.;

17 **KRISTI NOEM**, Secretary of the U.S.
18 Department of Homeland Security;

19 **TODD M. LYONS**, in his official capacity as
20 Acting Director of U.S. Immigration and
21 Customs Enforcement;

22 **DANIEL A. BRIGHTMAN**, in his official
23 Capacity as Acting Field Office Director of the
24 Field Office of the San Diego, California, U.S.
25 Immigration and Customs Enforcement (or
26 successor); and

27 **CHRISTOPHER J. LAROSE**, Warden of
28 the Imperial Regional Detention
Center
Respondents.

**PETITION FOR
WRIT OF
HABEAS
CORPUS**

**I. PETITIONER'S SUPPLEMENTAL MOTION REGARDING
RESPONDENTS' NOTICE OF NON-OPPOSITION**

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2 1. Petitioner Ercan Cetinkaya, by and through undersigned counsel, respectfully submits this
3 supplemental motion in response to Respondents' Return to Habeas Petition and Notice of
4 Non-Opposition, filed on March 16, 2026.

5 2. As set forth in Petitioner's habeas petition, Mr. Cetinkaya challenges the legality of his
6 continued detention by the Department of Homeland Security and Immigration and Customs
7 Enforcement. Petitioner maintains that his detention under 8 U.S.C. § 1225(b) is unlawful and violates
8 both the Immigration and Nationality Act and the Due Process Clause of the Fifth Amendment.

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10 3. Respondents have now indicated that they do not oppose a bond hearing for Petitioner during the
11 pendency of his removal proceedings. While Petitioner appreciates Respondents' position regarding a
12 bond hearing, the fundamental legal deficiencies in Petitioner's detention remain.

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14 4. As explained in the habeas petition, Mr. Cetinkaya was apprehended within the interior of the
15 United States, was previously released on his own recognizance pursuant to Form I-220A, has complied
16 with all conditions of release, has no criminal history, and has a pending asylum application before the
17 Immigration Court. Under these circumstances, his continued detention without lawful authority
18 constitutes arbitrary civil confinement.

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20 5. For these reasons, Petitioner respectfully renews his request that this Court grant habeas relief
21 and order his immediate release from ICE custody. In the alternative, should the Court determine that
22 immediate release is not warranted at this stage, Petitioner requests that the Court order a prompt
23 individualized bond hearing before a neutral decisionmaker with authority to grant release.

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3 **II. PRAYER FOR RELIEF**

4 Wherefore, Petitioner respectfully requests this Court to grant the following:
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6 6. Declare that Petitioner's continued detention under 8 U.S.C. § 1225(b) is unlawful under
7 the Immigration and Nationality Act and violates the Due Process Clause of the Fifth
8 Amendment;

9 7. Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately from
10 ICE custody;

11 8. In the alternative, if the Court determines that immediate release is not warranted, order that
12 Petitioner receive a prompt individualized bond hearing before a neutral and impartial adjudicator with
13 authority to grant release pursuant to 8 U.S.C. § 1226(a);

14 9. Grant any further relief this Court deems just and proper.
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Respectfully submitted,

/s/ Utku
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Dated: March 24, 2026

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VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner, Ercan Cetinkaya, and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Supplemental Motion Regarding Respondents' Notice of Non-Opposition are true and correct to the best of my knowledge.

Dated this 24th day of March 2026

/s/ Utku Galip Akcok
Utku Galip Akcok