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8 UNITED STATES DISTRICT COURT
9 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

10
11 FERUZ K. ODILOV

12
13 Petitioner,

14 vs

15 PAMELA BONDI, *et al.*

16 Respondents.
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Case No.: 3:26-cv-01473-JES-DDL

PETITIONER'S TRAVERSE

19 Petitioner FERUZ K. ODILOV respectfully submits this Traverse in response to this
20 Court's Order issued on March 10, 2026. In support of this request, Petitioner states as follows:

- 21 1. On March 10, 2026, the Honorable James E. Simmons, Jr, United States District
22 Judge, issued an order (1) Requiring a Response to The Petition For Writ of Habeas
23 Corpus; (2) Setting Briefing Schedule, ordering Respondent to file a written Response
24 by March 13, 2026, and allowing Petitioner to file an optional Traverse by March 16,
25 2026; and (3) Staying Removal Of Petitioner to Preserve Jurisdiction. *See* Dkt. 2.
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28 PETITIONER'S TRAVERSE - 1

- 1 2. Respondents received notice of Petitioner's petition considering Attorney Juliet
2 Keene appears as Lead Attorney to be noticed. However, as of March 16, 2026,
3 Respondents failed to file a timely written response to Petitioner's Habeas Corpus
4 Petition pursuant to the Court's March 10, 2026 Order.
- 5 3. On March 16, 2026, at late hours, Respondents submitted their Return to Habeas
6 Petition and Notice of Non-Opposition. Dkt. 3.
- 7 4. As a result, Petitioner was unable to provide a traverse yesterday, March 16, 2026,
8 the date this Court set forth on its March 10, 2026, order considering no argument
9 was set forth by Respondents on 3/13/2026.
- 10 5. Given the Respondents' Return, Petitioner respectfully requests this Court to find that
11 immediate release is the proper relief for Petitioner's unlawful detention.
- 12 6. The "equitable and flexible nature of habeas relief" affords district courts significant
13 discretion over the appropriate remedies for violations of law and the Constitution.
14 *Velasco Lopez v. Decker*, 978 F.3d 842, 855 (2d Cir. 2020); see also *Schlup v. Delo*,
15 513 U.S. 298, 319 (1995) ("[H]abeas corpus is, at its core, an equitable remedy").
16 This Court should order a remedy that fully addresses the statutory and constitutional
17 violations in this case and is efficient to administer. *Carafas v. LaVallee*, 391 U.S.
18 234, 238 (1968) (the habeas statute "does not limit the relief that may be granted to
19 discharge of the applicant from physical custody. Its mandate is broad with respect to
20 the relief that may be granted").
- 21 7. Release is the customary remedy in habeas proceedings. See 28 U.S.C. § 2243 (the
22 habeas should shall "dispose of the matter as law and justice require."); *Preiser v.*
23 *Rodriguez*, 411 U.S. 475, 484 (1973) (finding "that the traditional function of the writ

1 is to secure release from illegal custody”). The most appropriate remedy in a case like
2 this, where Petitioner was has been detained in violation of both the INA and due
3 process, is release on recognizance without further conditions of release. See
4 *Ambroladze v. Maldonado*, No. 26-CV-00474 (HG), 2026 WL 280182, at *3
5 (E.D.N.Y. Feb. 3, 2026) (given that the typical remedy for unlawful detention is
6 release, “the government’s ongoing detention of Petitioner, in the face of yet another
7 complete failure of process, entitles him to immediate release.”)

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10 8. Dozens of courts across the country have agreed with this form of relief. *See, e.g.,*
11 *Munoz Materano v. Arteta*, 2025 WL 2630826, at *20 (S.D.N.Y. Sept. 12, 2025)
12 (ordering immediate release); *Chipantiza-Sisalema v. Francis*, 2025 WL 1927931, at
13 *4 (S.D.N.Y. July 13, 2025) (same); *Rueda Torres v. Francis*, No. 25-cv-8408, 2025
14 WL 3168759, at *6 (S.D.N.Y. Nov. 13, 2025) (same); *Cifuentes v. Soto*, No. 25-cv-
15 18029, 2025 WL 3771380, at *4 (D.N.J. Dec. 31, 2025) (same); *Gonzalez Centeno v.*
16 *Lowe*, No. 3:25-cv-2518, 2026 WL 94642, at *4 (M.D. Pa. Jan. 13, 2026) (same);
17 *Feisal O. v. Noem*, No. 26-cv-81, 2026 WL 92857, at *3 (D. Minn. Jan. 13, 2026)
18 (same); *Garcia Covarrubias v. Holston*, No. 2:25-cv-02445, 2026 WL 25970, at *4
19 (D. Nev. Jan. 5, 2026) (same) *Kenzhebaev v. Noem*, No. 1:25-cv-1786, 2025 WL
20 3737975, at *9 (W.D. Mich. Dec. 29, 2025) (same); *Kobilov v. O’Neill*, No. 26-cv-
21 0058, 2026 WL 73475, at *3 (E.D. Pa. Jan. 8, 2026) (same, finding a bond hearing
22 unnecessary where there was no indication petitioner was a danger or flight risk);
23 *Ortega-Aguirre v. Noem*, No. 4:25-cv-04332, 2025 WL 3684697, at *4 (S.D. Tex.
24 Oct. 10, 2025) (same); *Bumbila Iza v. Arnott*, No. 6:25-cv-3392, 2026 WL 67152, at
25 *5 (W.D. Mo. Jan. 8, 2026) (same); *see also Mata Velasquez v. Kurzdorfer*, 794 F.

1 Supp. 3d 128, 154 (W.D.N.Y. 2025) (ordering release and that petitioner could not be
2 detained without a pre- deprivation hearing); *Gil v. Warden, Otay Mesa Det. Ctr.*, No.
3 3:25-cv-03279, 2025 WL 3675153, at *4 (S.D. Cal. Dec. 17, 2025) (same); *Sekhon v.*
4 *Warden of Golden State Annex Det. Facility*, No. 1:25-cv-1692, 2026 WL 74151, at
5 *4 (E.D. Cal. Jan. 9, 2026) (same).
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8 Accordingly, Petitioner respectfully requests that this Court exercises its discretion and
9 grant Petitioner's request ordering Respondents to immediately release Petitioner.
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11 Respectfully submitted,
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13 March 17, 2026
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15 /s/ Curtis Lee Morrison
16 Curtis Lee Morrison
17 RED EAGLE LAW, L.C.

18 *Attorney for Petitioner*
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