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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10
11 HUAMEI CHEN,
Petitioner,
12 v.
13 CHRISTOPHER
14 LAROSE, Warden at Otay Mesa
Detention Center, et al.,
15 Respondents.

Case No.: 26-cv-1549-JES

**RETURN TO HABEAS PETITION
AND NOTICE OF NON-
OPPOSITION**

Judge: Hon. James E. Simmons

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18 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. The government has
19 carefully reviewed this petition and determined that the legal issues presented concern the
20 statutory authority for U.S. Immigration and Customs Enforcement's (ICE) detention of
21 Petitioner under 8 U.S.C. §§ 1225(b)(2)(A) or 1226(a), and revocation of Petitioner's
22 parole.

23 It is the government's position that Petitioner is subject to mandatory detention under
24 § 1225(b), because Petitioner was present in the United States without being admitted or
25 paroled. *See Matter of Yajure Hurtado*, 29 I. & N. Dec. 216, 228 (BIA 2025); *see also See,*
26 *e.g., Buenrostro-Mendez v. Bondi*, No. 25-20496, 2026 WL 323330 (5th Cir. 2026). Upon
27 review of the Petition and available information, to conserve judicial and party resources
28 while expediting the Court's consideration of this case, Respondents do not oppose

1 Petitioner's release in this case, subject to prior conditions of release during removal
2 proceedings.

3 DATED: March 18, 2026

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