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

11 JUAN CARLOS ESTRADA-ALMAGER,

12 Petitioner,

13  
14 v.

15 KRISTI NOEM, Secretary of the  
Department of Homeland Security, *et al.*,

16 Respondents.  
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18  
19

Case No.: 26-cv-01556-JES-BJW

**RETURN TO HABEAS PETITION**

20 Petitioner was ordered removed to Cuba on August 28, 2003. *See* Exhibit A  
21 (Removal Order); ECF No. 1 at 2. Since removal to Cuba is not a viable option, removing  
22 Petitioner to Mexico was attempted, but he declined. ECF No. 1 at 3. While attempts to  
23 identify a third country for Petitioner's removal remain ongoing, there is no evidence to  
24 suggest there is a significant likelihood that Petitioner will be removed in the reasonably  
25 foreseeable future. *Zadvydas v. Davis*, 533 U.S. 678 (2001).

26 Respondents therefore acknowledge that Petitioner is entitled to be released from  
27 custody "subject to supervision under regulations *prescribed by the Attorney General.*" 8  
28

1 U.S.C. § 1231(a)(3); *see also* 8 C.F.R. § 241.5(a). Respondents do not request an  
2 evidentiary hearing in this case.

3 DATED: March 18, 2026

ADAM GORDON  
United States Attorney

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5 *s/Tom Merritt*  
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