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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

YASHPREET SINGH,

Petitioner,

v.

WARDEN, Imperial Regional Detention Facility, et al.,

Respondents.

Case No.: 26-cv-1562-JLS-JLB

RESPONSE TO PETITION

Petitioner has filed a habeas petition under 28 U.S.C. § 2241. The government has carefully reviewed this petition and determined that the legal issues presented concern the statutory authority for U.S. Immigration and Customs Enforcement's (ICE) detention of Petitioner under 8 U.S.C. §§ 1225(b)(2)(A) or 1226(a), and whether Petitioner is entitled to a bond hearing. While reserving all rights, including the right to appeal, the government respectfully submits this abbreviated response to preserve the legal issues, to conserve judicial and party resources, and to expedite the Court's consideration of this matter.[1]

It is the government's position that Petitioner is subject to mandatory detention under § 1225(b), because Petitioner was present in the United States without being admitted or paroled. *See Matter of Yajure Hurtado*, 29 I. & N. Dec. 216, 228 (BIA 2025); *see also See, e.g.*, *Buenrostro-Mendez v. Bondi*, No. 25-20496, 2026 WL 323330 (5th Cir. 2026); *Valencia v. Chestnut*, --- F. Supp. 3d ---, 2025 WL 3205133 (E.D. Cal. Nov. 17, 2025); *Alonzo v. Noem*, --- F. Supp. 3d ----, 2025 WL 3208284 (E.D. Cal. Nov. 17, 2025); *Cabanas v. Bondi*, No. 4:25-cv-04830, 2025 WL 3171331 (S.D. Tex. Nov. 13, 2025); *Altamirano Ramos v. Lyons*, --- F. Supp. 3d ---, 2025 WL 3199872 (C.D. Cal. Nov. 12, 2025); *Mejia Olalde v. Noem*, No. 1:25-cv-00168-JMD, 2025 WL 313942 (E.D. Mo. Nov. 10, 2025); *Silva Oliveira v. Patterson*, No. 6:25-cv-01463, 2025 WL 3095972 (W.D. La. Nov. 4, 2025); *Barrios Sandoval v. Acuna*, No. 6:25-cv-01467, 2025 WL 3048926 (W.D. La. Oct. 31, 2025); *Cirrus Rojas v. Olson*, No. 25-cv-1437-bhl, 2025 WL 3033967 (E.D. Wis. Oct. 30, 2025); *Vargas Lopez v. Trump*, --- F. Supp. 3d ----, 2025 WL 2780351 (D. Neb. Sept. 30, 3025); *Chavez v. Noem*, --- F. Supp. 3d ----, 2025 WL 2730228 (S.D. Cal. Sept. 24, 2025); *Pena v. Hyde*, No. 25-11983-NMG, 2025 WL 2108913 (D. Mass. July 28, 2025).

However, the government acknowledges that Courts in this District have repeatedly reached the opposite conclusion. *See, e.g.*, *Arias Torres v. Bondi*, No. 25-cv-2457-BAS-MSB, 2025 WL 3214773 (S.D. Cal. Nov. 18, 2025); *Martinez Lopez v. LaRose*, No. 25-

[1] To the extent the Court prefers a more formal response, the government respectfully requests an opportunity to submit additional briefing within a reasonable timeframe.

cv-2717-JES-AHG, 2025 WL 3030457 (S.D. Cal. Oct. 30, 2025); *Beltran v. Noem*, No. 25cv2650-LL-DEB, 2025 WL 3078837 (S.D. Cal. Nov. 4, 2025); *Garcia v. Noem*, 803 F. Supp. 3d 1064 (S.D. Cal. 2025); *Esquivel-Ipina v. LaRose*, No. 25-CV-2672 JLS (BLM), 2025 WL 2998361 (S.D. Cal. Oct. 24, 2025); *Lucas-Miguel v. LaRose*, No. 25-cv-3022-RSH-JLB, 2025 WL 3251580 (S.D. Cal. Nov. 21, 2025); *Vasquez-Diaz v. LaRose*, No. 25-cv-3038-TWR-JLB, ECF No. 6 (S.D. Cal. Nov. 13, 2025); *Cardoso v. LaRose*, No. 25-cv-3043-BJC-VET, ECF No. 7 (S.D. Cal. Dec. 12, 2025); *Maceda-Garcia v. Noem*, No. 25-cv-2968-JO-JLB, ECF No. 9 (S.D. Cal. Nov. 13, 2025); *A.S. v. LaRose*, No. 25-cv-2876-RBM-VET, ECF No. 9 (S.D. Cal. Nov. 19, 225); *Prieto-Cordova v. LaRose*, No. 25-cv-2824-CAB-DDL, 2025 WL 3228953 (S.D. Cal. Nov. 19, 2025); *Lagarda-Vega v. Noem*, No. 25-cv-2970-GPC-DDL, 2025 WL 3558931 (S.D. Cal. Dec. 11, 2025); *Nayyer v. LaRose*, No. 25-cv-3111-AGS-DDL, ECF No. 7 (S.D. Cal. Dec. 12, 2025); *Amaya v. Noem*, No. 25cv2892-BTM-DEB, 2025 WL 3182998 (S.D. Cal. Nov. 13, 2025).

The government acknowledges that the facts in this case are not materially distinguishable for purposes of the Court's determination of which statutory provision authorizes Petitioner's detention, and that Petitioner could therefore be determined to be eligible for a bond hearing pursuant to 8 U.S.C. § 1226(a).

Thus, while the government does not consent to issuance of the writ and reserves all rights, including the right to appeal, and to conserve judicial and party resources while expediting the Court's consideration of this case, the government hereby relies upon, and incorporates by reference, the legal arguments it presented in those cases previously

adjudicated by the Court,[2] and submits fully herein.[3][4]

DATED: March 19, 2026

ADAM GORDON
United States Attorney

s/ Michael D. Wallace
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[2] Specifically, the government incorporates by reference all arguments raised in its prior oppositional brief. *See, e.g.*, *Arias Torres v. Bondi*, No. 25-cv-2457-BAS-MSB, ECF No. 15 (S.D. Cal. Nov. 5, 2025); *Martinez Lopez v. LaRose*, No. 25-cv-2717-JES-AHG, ECF No. 7 (S.D. Cal. Oct. 21, 2025); *Beltran v. Noem*, No. 25cv2650-LL-DEB, ECF No. 6 (S.D. Cal. Oct. 9, 2025); *Garcia v. Noem*, No. 25-cv-2180-DMS-MMP, ECF No. 5 (S.D. Cal. Aug. 27, 2025); *Esquivel-Ipina v. LaRose*, No. 25-CV-2672 JLS (BLM), ECF No. 5 (S.D. Cal. Oct. 15, 2025); *Lucas-Miguel v. LaRose*, No. 25-cv-3022-RSH-JLB, ECF No. 4 (S.D. Cal. Nov. 20, 2025); *Vasquez-Diaz v. LaRose*, No. 25-cv-3038-TWR-JLB, ECF No. 4 (S.D. Cal. Nov. 12, 2025); *Cardoso v. LaRose*, No. 25-cv-3043-BJC-VET, ECF No. 5 (S.D. Cal. Nov. 12, 2025); *Maceda-Garcia v. Noem*, No. 25-cv-2968-JO-JLB, ECF No. 8 (S.D. Cal. Nov. 7, 2025); *A.S. v. LaRose*, No. 25-cv-2876-RBM-VET, ECF No. 6 (S.D. Cal. Nov. 7, 2025); *Prieto-Cordova v. LaRose*, No. 25-cv-2824-CAB-DDL, ECF No. 11 (S.D. Cal. Nov. 14, 2025); *Lagarda-Vega v. Noem*, No. 25-cv-2970-GPC-DDL, ECF No. 3 (S.D. Cal. Nov. 8, 2025); *Nayyer v. LaRose*, No. 25-cv-3111-AGS-DDL, ECF No. 4 (S.D. Cal. Nov. 20, 2025); *Amaya v. Noem*, No. 25cv2892-BTM-DEB, ECF No. 4 (S.D. Cal. Nov. 6, 2025).

[3] Petitioner also challenges his detention citing violations of Due Process. Should the Court grant the petition, it should decline to address the additional argument. *INS v. Bagamasbad*, 429 U.S. 24, 25 (1976) ("As a general rule courts and agencies are not required to make findings on issues the decision of which is unnecessary to the results they reach.").

[4] Petitioner has a Master Calendar Hearing on April 8, 2026.