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9 UNITED STATES DISTRICT COURT  
10 SOUTHERN DISTRICT OF CALIFORNIA

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12 MOAZ ADAM,

13 Petitioner,

14 v.

15 GREGORY J. ARCHAMBEAULT, et al.,

16 Respondents.  
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Case No.: 26-cv-1611-RBM-DDL

**RESPONSE TO PETITION**

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

8 Petitioner was previously released from immigration custody on parole issued under  
9 8 U.S.C. § 1182(d)(5). Respondents have insufficient information regarding termination of  
10 that parole, pursuant to 8 C.F.R. § 212.5(e)(2), to provide to the Court. It is the  
11 government’s position that Petitioner is subject to mandatory detention under § 1225(b)(2).  
12 However, the government acknowledges that this Court, and Courts in this District, have  
13 repeatedly reached the opposite conclusion under the same and/or similar facts. *See, e.g.,*  
14 *Arias Torres v. Bondi*, No. 25-cv-2457-BAS-MSB, 2025 WL 3214773 (S.D. Cal. Nov. 18,  
15 2025); *Martinez Lopez v. LaRose*, No. 25-cv-2717-JES-AHG, 2025 WL 3030457 (S.D.  
16 Cal. Oct. 30, 2025); *Beltran v. Noem*, No. 25cv2650-LL-DEB, 2025 WL 3078837 (S.D.  
17 Cal. Nov. 4, 2025); *Garcia v. Noem*, 803 F. Supp. 3d 1064 (S.D. Cal. 2025); *Esquivel-Ipina*  
18 *v. LaRose*, No. 25-CV-2672 JLS (BIM). 2025 WL 2998361 (S.D. Cal. Oct. 24, 2025);  
19 *Lucas-Miguel v. LaRose*, No. 25-cv-3022-RSH-JLB, 2025 WL 3251580 (S.D. Cal. Nov.  
20 21, 2025); *Vasquez-Diaz v. LaRose*, No. 25-cv-3038-TWR-JLB, ECF No. 6 (S.D. Cal.  
21 Nov. 13, 2025); *Cardoso v. LaRose*, No. 25-cv-3043-BJC-VET, ECF No. 7 (S.D. Cal. Dec.  
22 12, 2025); *Maceda-Garcia v. Noem*, No. 25-cv-2968-JO-JLB, ECF No. 9 (S.D. Cal. Nov.  
23 13, 2025); *A.S. v. LaRose*, No. 25-cv-2876-RBM-VET, ECF No. 9 (S.D. Cal. Nov. 19,  
24 2025); *Prieto-Cordova v. LaRose*, No. 25-cv-2824-CAB-DDL, 2025 WL 3228953 (S.D.  
25 Cal. Nov. 19, 2025); *Lagarda-Vega v. Noem*, No. 25-cv-2970-GPC-DDL, 2025 WL  
26 3558931 (S.D. Cal. Dec. 11, 2025); *Nayyer v. LaRose*, No. 25-cv-3111-AGS-DDL, ECF

1 No. 7 (S.D. Cal. Dec. 12, 2025); *Amaya v. Noem*, No. 25cv2892-BTM-DEB, 2025 WL  
2 3182998 (S.D. Cal. Nov. 13, 2025).

3 The government acknowledges that this Court's prior decisions will control the  
4 result here if the Court adheres to its prior decisions, as the facts are not materially  
5 distinguishable for purposes of the Court's decision, and on that basis the government does  
6 not oppose the petition and defers to the Court on the appropriate relief.<sup>1</sup>

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DATED: March 23, 2026

ADAM GORDON  
United States Attorney

*s/ Michael D. Wallace*  
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MICHAEL D. WALLACE  
Assistant United States Attorney

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<sup>1</sup> To the extent the Court issues an order directing a bond hearing under 1226(a), considering heavy caseloads and staffing levels, Respondents respectfully request that such order provide the government 14 days from issuance to hold such bond hearing.