

1 ADAM GORDON
United States Attorney
2 CINDY M. CIPRIANI
Assistant United States Attorney
3 California Bar No. 144402
Office of the U.S. Attorney
4 880 Front Street, Room 6293
San Diego, CA 92101-8893
5 Telephone: 619-546-9608
Email: cindy.cipriani@usdoj.gov

6 Attorneys for Respondent
7
8

9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA

11 MUCO JEAN CLAUDE,
12

13 Petitioner,

14 v.

15 JEREMY CASEY,
16

16 Respondent.
17
18

Case No.: 26CV1629 RSH MMP

RESPONSE TO PETITION

19 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. Petitioner is subject to
20 mandatory detention under 8 U.S.C. § 1225(b). *See Jennings v. Rodriguez*, 583 U.S. 281
21 (2018). However, the government acknowledges that courts in this District have repeatedly
22 inferred a constitutional right against prolonged mandatory detention. Taking into
23 consideration those prior rulings and the length of time Petitioner has been in custody, the
24 government concedes that this Court should order that Petitioner receive a bond hearing,
25 where the government would bear the burden of proof of establishing, by clear and
26 convincing evidence, that Petitioner poses a danger to the community or a risk of flight.
27 *See Sadeqi v. LaRose*, No. 25-cv-2587-RSH-BJW, 2025 WL 3154520 (S.D. Cal. Nov. 12,
28

1 2025); *Gao v. LaRose*, No. 25-cv-2084-RSH-SBC, 2025 WL 2770633 (S.D. Cal. Sept. 26,
2 2025).

3
4 DATED: April 27, 2026

ADAM GORDON
United States Attorney

5 *s/Cindy M. Cipriani*
6 Cindy M. Cipriani
7 Assistant United States Attorney
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28