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

10 **In the Matter of**)
11)
12 **DEYBIS RAFAEL ARIAS-CHACON**)
13 )
14 **Petitioner**)

Case No: 3:26-cv-01722-DMS-VET

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16 **PETITIONER'S REPLY TO**
17 **RESPONDENTS' RESPONSE TO**
18 **PETITION FOR WRIT OF**
19 **HABEAS CORPUS**

20 **Warden of Imperial Regional Detention Facility**)
21 **Kristi Noem, Secretary of the U.S. Department**)
22 **of Homeland Security**)
23 **Pam Bondi, Attorney General of the United**)
24 **States**)
25 **U.S Immigration Customs Enforcement**)
26 **U.S. Department of Homeland Security**)
27 **In their official capacities**)
28 **Respondents**)

29 **PETITIONER'S REPLY TO RESPONDENTS' RESPONSE TO PETITION FOR WRIT**
30 **OF HABEAS CORPUS**



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I. INTRODUCTION

1. Respondents' filing confirms that there is no genuine dispute as to the legal issue before this Court. Although Respondents nominally assert that Petitioner is subject to mandatory detention under 8 U.S.C. § 1225(b), they expressly acknowledge that courts in this District have repeatedly rejected that position under materially indistinguishable facts. Respondents further state that they do not oppose the Petition and defer to this Court on the appropriate relief.
2. Accordingly, the Petition should be granted.

II. RESPONDENTS EFFECTIVELY CONCEDE THE MERITS

3. Respondents acknowledge that this Court and others in this District have consistently held that individuals in Petitioner's position are not subject to mandatory detention under § 1225(b), and instead are entitled to a bond hearing under § 1226(a). Respondents further concede that the facts here are not materially distinguishable from those prior cases.
4. In light of this concession, there is no basis to deny relief. Continued detention without a bond hearing violates both the governing statutory framework and Petitioner's due process rights.

III. PETITIONER IS ENTITLED TO IMMEDIATE RELIEF

5. Petitioner has remained detained without an individualized bond hearing. The absence of such a hearing deprives Petitioner of a meaningful opportunity to contest continued detention and imposes ongoing and irreparable harm to his liberty interests.



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6. Because Respondents do not oppose the Petition, and because controlling authority in this District supports Petitioner’s position, the Court should grant the writ without delay.

IV. RESPONDENTS’ REQUEST FOR 14 DAYS SHOULD BE REJECTED

- 7. Respondents request that, if relief is granted, they be afforded fourteen (14) days to provide a bond hearing. This request should be denied.
- 8. Courts routinely recognize that unlawful detention without a bond hearing constitutes an ongoing deprivation of liberty that must be remedied promptly. Granting Respondents an additional two weeks would unnecessarily prolong that deprivation.
- 9. Moreover, Respondents have already had ample time to address Petitioner’s detention and cannot justify further delay. Courts in this District regularly order bond hearings within a matter of days in similar circumstances.
- 10. A prompt hearing is especially warranted here given that Respondents do not oppose relief and acknowledge that controlling precedent favors Petitioner.

V. CONCLUSION

- 11. For the foregoing reasons, Petitioner respectfully requests that this Court:
 - a. GRANT the Petition for Writ of Habeas Corpus;
 - b. ORDER Respondents to provide Petitioner with an individualized bond hearing before an Immigration Judge within five (5) days of the Court’s order; and
 - c. ORDER that Petitioner be released from custody unless such a hearing is timely provided.

Respectfully Submitted,

Dated this 30 day of March 2026.



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