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

12 YAKUBU ALHASSAN,  
13  
14 Petitioner,

Civil Case No.: 26-cv-2012-BAS

15 v.

**Traverse in Support of  
Petition for a Writ  
of Habeas Corpus**

16 KRISTI NOEM, Secretary of the  
17 Department of Homeland Security,  
18 PAMELA JO BONDI, Attorney General,  
19 TODD M. LYONS, Acting Director,  
20 Immigration and Customs Enforcement,  
21 JESUS ROCHA, Acting Field Office  
22 Director, San Diego Field Office,  
23 JEREMY CASEY, Warden at Otay Mesa  
24 Detention Center,

25 Respondents.

26 On April 13, 2026, Yakubu Alhassan filed an amended habeas petition  
27 arguing that his prolonged detention in immigration custody has violated the Due  
28 Process Clause of the Fifth Amendment. *See* Alhassan Amended Petition, ECF  
No. 9 The government filed its response to Mr. Alhassan’s amended petition on  
April 23, 2026. *See* Gov. Response, ECF No. 12. The government does not  
dispute any of the facts set forth in Mr. Alhassan’s petition. *Id.* Moreover, the  
government concedes “that this Court should order that Petitioner receive a bond  
hearing, where the government would bear the burden of proof of establishing, by  
clear and convincing evidence, that Petitioner poses a danger to the community or  
a flight risk.” *Id.*

1 Mr. Alhassan appreciates the government’s concessions but argues that  
2 **immediate release is the proper remedy** given his unreasonably prolonged  
3 detention of *fourteen months*. “In recent months, courts across the country have  
4 ordered the release of detainees in similar situations.” *Moctezuma v. Henkey*, No.  
5 25-CV-00741-BLW, 2026 WL 18809, at \*5 (D. Idaho Jan. 2, 2026) (given that  
6 the government’s repeated use of unlawful detention policies across the country,  
7 causing petitioners to “sit in jail waiting for a judicial decision,” the court would  
8 order immediate release instead of causing additional delay through a bond  
9 hearing) (citing *Lepe v. Andrews*, 801 F. Supp. 3d 1104 (E.D. Cal. 2025); *J.U. v.*  
10 *Maldonado*, No. 25-CV-4836, 2025 WL 2772765, at \*10 (E.D.N.Y. Sept. 29,  
11 2025); *Rosado v. Figueroa*, No. 25-CV-2157, 2025 WL 2337099, at \*19 (D. Ariz.  
12 Aug. 11, 2025); *Pinchi v. Noem*, No. 25-CV-05632, 2025 WL 1853763, at \*4  
13 (N.D. Cal. July 4, 2025). *Santiago v. Noem*, No. EP-25-CV-361, 2025 WL  
14 2792588, at \*13-14 (W.D. Tex. Oct. 2, 2025) (“Without a legitimate interest in  
15 her detention, immediate release appropriately remedies Respondents’ violation of  
16 [Petitioner’s] due process rights through her continued detention.”). Order, ECF  
17 No. 14 at 19, *Miri v. Bondi*, No. 5:26-CV-00698-MEMF (C.D. Cal. March 5,  
18 2026) (“Miri’s prompt release is the remedy that will best return Miri to the status  
19 quo and restore his position as it was prior to the detention that Miri contends was  
20 in violation of his constitutional and statutory protections.”).

21 **Thus, Mr. Alhassan should be granted immediate release.**

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Respectfully submitted,

Dated: April 24, 2026

*s/ Camille Fenton*

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