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

11 LALEM YEHIWAS MENBERU,

12
13 Petitioner,

14 v.

15 JEREMY CASEY, WARDEN,

16 Respondent.
17

Case No.: 26-cv-02015-CAB-JLB

RESPONSE TO PETITION

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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).

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4 DATED: April 8, 2026

ADAM GORDON
United States Attorney

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6 *s/ Mary Cile Glover-Rogers*
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Assistant United States Attorney
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