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10 **UNITED STATES DISTRICT COURT**  
11 **SOUTHERN DISTRICT OF CALIFORNIA**  
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13 ASRAR ZEYNU SIRAJ,

Civil Case No.: 26-cv-2091-LL

14 Petitioner,

15 v.

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

16 MARKWAYNE MULLIN, Secretary of  
17 the 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.  
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On April 15, 2026, Asrar Zeynu Siraj filed an amended habeas petition arguing that his prolonged detention in immigration custody has violated the Due Process Clause of the Fifth Amendment. *See* Siraj Amended Petition, ECF No. 6. The government filed its response to Mr. Siraj’s amended petition on April 21, 2026. *See* Gov. Response, ECF No. 8. The government does not dispute any of the facts set forth in Mr. Siraj’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. Siraj appreciates the government's concessions but argues that  
2 **immediate release is the proper remedy** given his unreasonably prolonged  
3 detention of *fifteen 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. Siraj should be granted immediate release.**  
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Respectfully submitted,

Dated: April 21, 2026

*s/ Camille Fenton*

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