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Attorney for Petitioner

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

HERMON ASMELASH

Petitioners,

v.

CHRISTOPHER LAROSE, warden of
Otay Mesa Detention Center
DANIEL A. BRIGHTMAN, San Diego
Field Office Director, Immigration and
Customs Enforcement and Removal
Operations (“ICE/ERO”);
TODD LYONS, Acting Director of
Immigration Customs Enforcement
(“ICE”);
MARKWAYNE MULLIN, Secretary of
the Department of Homeland Security
(“DHS”);
ACTING Attorney General of the United
States,
U.S. DEPARTMENT OF HOMELAND
SECURITY;
U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT;

Respondents.

Case No.: 26-cv-02135-JLS-DEB

**TRAVERSE TO PETITION FOR WRIT
OF HABEAS CORPUS**

1 Petitioner, HERMON ASMELASH, by and through his attorney of record,
2 BRIAN J. MCGOLDRICK, hereby submits this TRAVERSE to the PETITION FOR WRIT
3 OF HABEAS CORPUS and states as follows:
4

5 The Government, in their RETURN have conceded that "this Court should
6 order that Petitioner receive a bond hearing, where the government would bear the
7 burden of proof of establishing, by clear and convincing evidence, that Petitioner
8 poses a danger to the community or a risk of flight." *ECF 5 p. 1-2*

9 The Petitioner requests this court

- 10 1. Grant the Petition for a Writ of Habeas Corpus;
11
12 2. Order that Petitioner receives a bond hearing, where the government
13 would bear the burden of proof of establishing, by clear and convincing
14 evidence, that Petitioner poses a danger to the community or a risk of
15 flight.
16 3. Require a status report as to whether Petitioners have been granted a bond
17 and, if not, an opportunity for further briefing as to whether this court's
18 order regarding burden of proof has been properly followed.
19
20 4. For any other relief this court deems necessary.

21 Dated: April 15, 2026

Respectfully submitted,

22 By: /s/ Brian J. McGoldrick
23 Brian J. McGoldrick, Esq.
24 Attorney for Petitioners

CERTIFICATE OF SERVICE

I, Brian J. McGoldrick, CERTIFY

I am over the age of 18 and not a party to this matter. My business address is 4916 Del Mar Avenue, San Diego, CA 92107. On April 15, 2026, I served a copy of this

TRAVERSE TO PETITION FOR WRIT OF HABEAS CORPUS

by the method and to the parties listed below:

On April 15, 2026, I accessed the electronic mailing list for CM/ECF users in this case and representatives of all parties are CM/ECF users and are noticed as follows:

- **Camille Savedra**
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/s/Brian J. McGoldrick
Brian J. McGoldrick, Esq.
Counsel for Petitioners