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11 **UNITED STATES DISTRICT COURT**  
12 **SOUTHERN DISTRICT OF CALIFORNIA**  
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14 FATEMEH SHOKRAEIYAN,

15 Petitioner,

16 v.

17 WARDEN, OTAY MESA DETENTION  
18 CENTER; et al.,

19 Respondents.  
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Case No.: 26-cv-02130-AGS-BLM

**RESPONSE TO PETITION**

21 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. Petitioner is subject to  
22 mandatory detention under 8 U.S.C. § 1225(b). *See Jennings v. Rodriguez*, 583 U.S. 281  
23 (2018). However, the government acknowledges that courts in this District have repeatedly  
24 inferred a constitutional right against prolonged mandatory detention. Taking into  
25 consideration those prior rulings and the length of time Petitioner has been in custody, the  
26 government concedes that this Court should order that Petitioner receive a bond hearing,  
27 where the government would bear the burden of proof of establishing, by clear and  
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1 convincing evidence, that Petitioner poses a danger to the community or a risk of flight.  
2 *See Sadeqi v. LaRose*, No. 25-cv-2587-RSH-BJW, 2025 WL 3154520 (S.D. Cal. Nov. 12,  
3 2025); *Gao v. LaRose*, No. 25-cv-2084-RSH-SBC, 2025 WL 2770633 (S.D. Cal. Sept. 26,  
4 2025).

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6 DATED: April 14, 2026

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8 *s/ Camille Savedra*  
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