

1 ADAM GORDON  
United States Attorney  
2 ANTONIO ESTRADA  
Special Assistant United States Attorney  
3 California State Bar No. 321347  
Office of the U.S. Attorney  
4 880 Front Street, Room 6293  
San Diego, CA 92101-8893  
5 Telephone: (619) 546-8664  
Facsimile: (619) 546-7751  
6 Email: [Antonio.Estrada@usdoj.gov](mailto:Antonio.Estrada@usdoj.gov)

7 Attorneys for Respondents

8  
9 **UNITED STATES DISTRICT COURT**

10  
11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 ALISAN BULUT,

13 Petitioner,

14 v.

15 WARDEN, OTAY MESA DETENTION  
16 CENTER; et al.,

17 Respondents.  
18  
19

Case No.: 26-cv-02175-BJC-BLM

**RESPONSE TO PETITION**

20  
21  
22  
23  
24  
25  
26  
27  
28

1 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. The government has  
2 carefully reviewed this petition and determined that the legal issues presented concern the  
3 statutory authority for U.S. Immigration and Customs Enforcement’s (ICE) detention of  
4 Petitioner under 8 U.S.C. §§ 1225(b)(2)(A) or 1226(a). While reserving all rights, including  
5 the right to appeal, the government respectfully submits this abbreviated response to  
6 preserve the legal issues, to conserve judicial and party resources, and to expedite the  
7 Court’s consideration of this matter.

8 Petitioner was previously released from immigration custody on a bond granted by  
9 an immigration judge (IJ) issued under 8 U.S.C. § 1226(a). *See* Exhibit 1 (IJ order dated  
10 02.06.2023). The bond was then subsequently cancelled. *See* Exhibit 2 (Bond Cancellation  
11 Notices). Petitioner was again re-detained by DHS, and his request for a new bond was  
12 denied by an IJ. *See* ECF 1, *see also* Exhibit 3 (IJ order dated 3.30.2026)

13 It is the government’s position that Petitioner is subject to mandatory detention  
14 under § 1225(b)(2). However, the government acknowledges that this Court, and Courts in  
15 this District, have repeatedly reached the opposite conclusion under the same and/or similar  
16 facts. *See, e.g., Arias Torres v. Bondi*, No. 25-cv-2457-BAS-MSB, 2025 WL 3214773  
17 (S.D. Cal. Nov. 18, 2025); *Martinez Lopez v. LaRose*, No. 25-cv-2717-JES-AHG, 2025  
18 WL 3030457 (S.D. Cal. Oct. 30, 2025); *Beltran v. Noem*, No. 25cv2650-LL-DEB, 2025  
19 WL 3078837 (S.D. Cal. Nov. 4, 2025); *Garcia v. Noem*, 803 F. Supp. 3d 1064 (S.D. Cal.  
20 2025); *Esquivel-Ipina v. LaRose*, No. 25-CV-2672 JLS (BLM), 2025 WL 2998361 (S.D.  
21 Cal. Oct. 24, 2025); *Lucas-Miguel v. LaRose*, No. 25-cv-3022-RSH-JLB, 2025 WL  
22 3251580 (S.D. Cal. Nov. 21, 2025); *Vasquez-Diaz v. LaRose*, No. 25-cv-3038-TWR-JLB,  
23 ECF No. 6 (S.D. Cal. Nov. 13, 2025); *Cardoso v. LaRose*, No. 25-cv-3043-BJC-VET, ECF  
24 No. 7 (S.D. Cal. Dec. 12, 2025); *Maceda-Garcia v. Noem*, No. 25-cv-2968-JO-JLB, ECF  
25 No. 9 (S.D. Cal. Nov. 13, 2025); *A.S. v. LaRose*, No. 25-cv-2876-RBM-VET, ECF No. 9  
26 (S.D. Cal. Nov. 19, 2025); *Prieto-Cordova v. LaRose*, No. 25-cv-2824-CAB-DDL, 2025  
27 WL 3228953 (S.D. Cal. Nov. 19, 2025); *Lagarda-Vega v. Noem*, No. 25-cv-2970-GPC-

1 DDL, 2025 WL 3558931 (S.D. Cal. Dec. 11, 2025); *Nayyer v. LaRose*, No. 25-cv-3111-  
2 AGS-DDL, ECF No. 7 (S.D. Cal. Dec. 12, 2025); *Amaya v. Noem*, No. 25cv2892-BTM-  
3 DEB, 2025 WL 3182998 (S.D. Cal. Nov. 13, 2025).

4 The government acknowledges that this Court’s prior decisions will control the  
5 result here if the Court adheres to its prior decisions, as the facts are not materially  
6 distinguishable for purposes of the Court’s decision, and on that basis the government does  
7 not oppose the petition and defers to the Court on the appropriate relief.<sup>1</sup>

8 DATED: April 15, 2026

ADAM GORDON  
United States Attorney

9  
10  
11 *s/ Antonio Estrada*  
ANTONIO ESTRADA  
Special Assistant United States Attorney

12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26 \_\_\_\_\_  
27 <sup>1</sup> To the extent the Court issues an order directing a bond hearing under 1226(a),  
28 considering heavy caseloads and staffing levels, Respondents respectfully request that  
such order provide the government 14 days from issuance to hold such bond hearing.