

1 ADAM GORDON
United States Attorney
2 MATTHEW RILEY
Assistant United States Attorney
3 California State Bar No. 257463
Office of the U.S. Attorney
4 880 Front Street, Room 6293
San Diego, CA 92101-8893
5 Telephone: 619-546-9675
Email: matthew.riley2@usdoj.gov

6 Attorneys for Respondent
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9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**
11

12 KSENIYA RUMLIANTSEVA,
13 Petitioner,

14 v.

15 CHRISTOPHER J. LAROSE,
16 WARDEN OF OTAY MESA
DETENTION CENTER,

17 Respondent.
18

Case No. 26-cv-02214-JO-DEB

RESPONSE TO PETITION

19
20 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. Petitioner is subject to
21 mandatory detention under 8 U.S.C. § 1225(b). *See Jennings v. Rodriguez*, 583 U.S. 281
22 (2018). However, the government acknowledges that courts in this District have repeatedly
23 inferred a constitutional right against prolonged mandatory detention. Taking into
24 consideration those prior rulings and the length of time Petitioner has been in custody, the
25 government concedes that this Court should order that Petitioner receive a bond hearing,
26 where the government would bear the burden of proof of establishing, by clear and
27 convincing evidence, that Petitioner poses a danger to the community or a risk of flight.
28 *See Sadeqi v. LaRose*, No. 25-cv-2587-RSH-BJW, 2025 WL 3154520 (S.D. Cal. Nov. 12,

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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Dated: April 14, 2026

Respectfully submitted,
ADAM GORDON
United States Attorney

s/ Matthew Riley
MATTHEW RILEY
Assistant United States Attorney
Attorney for Respondent