

1 **Kara Hartzler**
2 Cal. Bar No. 293751
3 **Federal Defenders of San Diego, Inc.**
4 225 Broadway, Suite 900
5 San Diego, California 92101-5030
6 Telephone: (619) 234-8467
7 Facsimile: (619) 687-2666
8 Kara_hartzler@fd.org

9 Attorneys for Petitioner

10 **UNITED STATES DISTRICT COURT**
11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 WEN XUE CHANG,

13 Petitioner,

14 v.

15 MARKWAYNE MULLIN, Secretary of
16 the Department of Homeland Security, et
17 al.

18 Respondents.

No.: 26-cv-2218-JLS-SBC

**Traverse in support of
petition for writ of
habeas corpus**

**[Civil Immigration Habeas,
28 U.S.C. § 2241]**

19
20
21
22
23
24
25
26
27
28

1 In his habeas petition, Mr. Chang argued that: 1) Respondents failed to
2 comply with their own regulations when they revoked Mr. Chang's order of
3 supervision; and 2) his detention violates *Zadvydas v. Davis*, 533 U.S. 678 (2001).
4 Dkt. 1. The remedy for either violation is immediate release.

5 In its return, the government states that it "does not oppose the petition."
6 Dkt. 4 at 3. However, the government incorrectly states that Mr. Chang was
7 "previously released from immigration custody on parole issued under 8 U.S.C.
8 § 1182(d)(5)" and requests that the Court "order a bond hearing pursuant to 8
9 U.S.C. § 1226(a)." Dkt. 4 at 2, 3.

10 However, a bond hearing is not the appropriate remedy for the regulatory
11 and *Zadvydas* claims presented here. And because Respondents have waived the
12 arguments relating to these claims, this Court should order Mr. Chang's
13 immediate release.

14 Respectfully submitted,

15
16 Dated: April 16, 2026

s/ Kara Hartzler

Federal Defenders of San Diego, Inc.

Attorneys for Petitioner

Email: kara_hartzler@fd.org