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

11
12 YAOHUI SUN,

13 Petitioner,

14 v.

15 SIXTO MARRERO, Facility Administrator
16 of Imperial Regional Detention Facility, et
al.,

17 Respondents.
18

Case No. 26-cv-02225-CAB-SBC

RESPONSE TO PETITION

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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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4 Dated: April 15, 2026

Respectfully submitted,

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6 United States Attorney

7 *s/ Matthew Riley*
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9 Assistant United States Attorney
10 Attorney for Respondents
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