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11 **UNITED STATES DISTRICT COURT FOR THE**
12 **SOUTHERN DISTRICT OF CALIFORNIA**
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14 YAOHUI SUN,

15 Petitioner,

16 v.

17 SIXTO MARRERO, Facility Administrator
18 of Imperial Regional Detention Facility, et
19 al., *et al.*,

20 Respondents.

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

**PETITIONER'S REPLY TO
RESPONDENTS' RESPONSE TO
HABEAS PETITION**

21 Petitioner submits this reply to Respondents' return filed on April 15, 2026.

22 Respondents did not address Petitioner's claim of due process. Instead Respondents
23 contend, without substantive analysis, that Petitioner is subject to mandatory detention under 8
24 U.S.C. § 1225(b).

25 Given Respondent's silence on the dispositive issue, Petitioner respectfully requests that
26 the Court order his prompt release because he has a protected liberty interest in remaining out of
27 the custody arising from his prior release, and his re-detention without notice and a pre-deprivation
28 hearing violates the Due Process Clause. *See Pinchi v. Noem*, 792 F. Supp. 3d 1025, 1032 (N.D.
Cal. 2025); *Valencia Zapata v. Kaiser*, No. 25-CV-07492-RFL, 2025 WL 2578207 (N.D. Cal. Sept.
5, 2025)

Courts within this Circuit, including this Court, have repeatedly held that immediate release

1 is the appropriate remedy when a noncitizen's detention is unlawful under the Due Process Clause.
2 See e.g. *Perez v. Albarran*, No. 1:25-cv-01540-DAD-CSK (HC), 2025 WL 3187578 (E.D. Cal.
3 Nov. 14, 2025); *Prieto-Cordova v. LaRose*, No. 25-cv-2824-CAB-DDL, 2025 WL 3228953 (S.D.
4 Cal. Nov. 19, 2025); *A.S. v. LaRose*, No. 25-cv-2876-RBM-VET, ECF No. 9 (S.D. Cal. Nov. 19,
5 225); *Maceda-Garcia v. Noem*, No. 25-cv-2968-JO-JLB, ECF No. 9 (S.D. Cal. Nov. 13, 2025);
6 *Arias Torres v. Bondi*, No. 25-cv-2457-BAS-MSB, 2025 WL 3214773 (S.D. Cal. Nov. 18, 2025).

7 Accordingly, Petitioner respectfully requests that the Court grant the Petition, order
8 Petitioner's immediate release without the imposition of any conditions more restrictive than those
9 previously in place.

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11 Dated: April 16, 2026

Respectfully submitted,

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Juris Path Law Firm, PC

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/s/Yunchao Song

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Yunchao Song, Esq.

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Attorneys for Petitioner Yaohui Sun

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