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5 **UNITED STATES DISTRICT COURT**
SOUTHERN DISTRICT OF CALIFORNIA
6 **SAN DIEGO**

7 Alvaro Steve ALVAREZ GALLARDO,
Petitioner,

Case No. 3:26-cv-02273-DMS-JLB

8 v.

9 Attorney General of the United States,
Department of Justice, et al.,

PETITIONER'S TRAVERSE

10 Respondents.
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1 Given that Petitioner has been re-detained in violation of law, seemingly without
2 a warrant, Petitioner asks this Court to find that his continued detention is unlawful and
3 that he must be released immediately. ECF No. 1. The Respondents have not
4 meaningfully challenged this assertion by Petitioner, or provided any evidence that
5 Petitioner is rightfully detained in the first instance. ECF No. 5. Respondents failed to
6 respond to the merits of the allegations in the Petition set forth at ¶¶ 39-44, 45-50. *See,*
7 *generally*, ECF No. 1. Not opposing a bond hearing does not respond to the petition.
8 Thus, the merits of the claims set forth at ¶¶ 39-44 and 45-50 of the Petition are
9 conceded. *See Soleimani v. Larose*, 2025 U.S. Dist. LEXIS 230910, 2025 WL 3268412,
10 *3 (S.D. Cal. 2025) (granting habeas petition where government's response to the
11 petition failed to respond to numerous claims raised in the petition); *Singh v. Chiang*,
12 2025 WL 4058328, *4 (C.D. Cal. 2025) (construing government's failure to oppose
13 argument raised by habeas petitioner as a concession); *Dilewar Singh v. Annex*, No. 26-
14 cv-00440-FMO-AJR, Dkt. 9, 2026 U.S. Dist. LEXIS 27669 (C.D. Cal. Feb. 9, 2026)
15 (granting petition where "the court construes respondents' failure to address petitioner's
16 due process claim as a concession of petitioner's argument").

17 Multiple courts in this district have found in favor of immediate release for
18 petitioners who were re-detained under the same or similar circumstances as Petitioner.
19 ECF No. 1, ¶ 43.

20 Petitioner has shown his desire to follow the laws of the United States, as
21 evidenced by his lack of any criminal record and his pending Special Immigration

1 Juvenile petition filed with U.S. Citizenship and immigration services. ECF No. 1, ¶ 4.
2 A judge for the State of California has found that it is not in his best interest to be
3 returned to his home country. *Id.* Additionally, Petitioner is a U.S. high school graduate.
4 *Id.* ¶ 22.

5 Therefore, given Respondents lack of any meaningful challenge to his petition,
6 and the evidence of record that Petitioner's ongoing re-detention is unlawful and his
7 evidence of compliance with U.S. law, he respectfully requests immediate release to the
8 same conditions before his unlawful detention, and an order requiring the government
9 to follow proper statutes and regulations should it seek to re-detain Petitioner in the
10 future. *See* ECF No. 1, generally.

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13 Dated: April 22, 2026

Respectfully submitted,

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/s/ Leah L. Chavarria
Leah L. Chavarria
Counsel for Petitioner

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