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10 UNITED STATES DISTRICT COURT

11 SOUTHERN DISTRICT OF CALIFORNIA

12 FAIZAN ILTAF,

13 Petitioner,

14 v.

15 JEREMY CASEY; et al.,

16 Respondents.
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Case No.: 26-cv-02283-JLS-MMP

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). Petitioner claims that Respondent's have detained Petitioner for "an extremely
23 prolonged period of nearly 17 months." ECF 1 at 2. However, Petitioner claim fails to
24 take into account that several continuances of his removal proceedings were done at his
25 request. *See* Exhibit 1 at 6-8 (stating code 02, which means time for alien to prepare; code
26 17, which means setting from master hearing to individual hearing; code 12, adjourned at
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1 the request of alien/alien's attorney).¹

2 However, the government acknowledges that courts in this District have repeatedly
3 inferred a constitutional right against prolonged mandatory detention. Taking into
4 consideration those prior rulings and the length of time Petitioner has been in custody, the
5 government concedes that this Court should order that Petitioner receive a bond hearing,
6 where the government would bear the burden of proof of establishing, by clear and
7 convincing evidence, that Petitioner poses a danger to the community or a risk of flight.
8 *See Sadeqi v. LaRose*, No. 25-cv-2587-RSH-BJW, 2025 WL 3154520 (S.D. Cal. Nov. 12,
9 2025); *Gao v. LaRose*, No. 25-cv-2084-RSH-SBC, 2025 WL 2770633 (S.D. Cal. Sept. 26,
10 2025).

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12 DATED: April 20, 2026

ADAM GORDON
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14 *s/Antonio Estrada*
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28 ¹ See FN 2 for definition of Adjournment Codes.