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

12 AGHOGHO EGIGBA,

13 Petitioner,

14 v.

15 MARKWAYNE MULLIN, Secretary of
16 the Department of Homeland Security,
17 TODD BLANCHE, Acting Attorney
18 General, TODD M. LYONS, Acting
19 Director, Immigration and Customs
20 Enforcement, JESUS ROCHA, Acting
21 Field Office Director, San Diego Field
22 Office, CHRISTOPHER LAROSE,
23 Warden at Otay Mesa Detention Center,

24 Respondents.

Civil Case No.: 26-cv-2232-BAS

**Traverse in Support of
Amended Petition for a Writ
of Habeas Corpus**

25 On April 22, 2026, Aghogho Egigba filed an amended habeas petition
26 arguing that his prolonged detention in immigration custody has violated the Due
27 Process Clause of the Fifth Amendment. Egigba Amended Petition, ECF No. 9
28 The government filed its response to Mr. Egigba's petition on May 1, 2026. *See*
Gov. Response, ECF No. 11.

The government correctly points out that, because Mr. Egigba entered the
United States on a visa and merely overstayed, he is not subject to detention under
8 U.S.C. § 1226(c) and is instead subject to detention under 8 U.S.C. § 1226(a).
Accordingly, "he is entitled to a bond hearing before an immigration judge." *Id.* at

1 1. Undersigned counsel has spoken with Mr. Egigba's immigration attorney, and
2 she intends to speak with him about requesting a bond hearing before the
3 immigration judge ("IJ") for some time in the next two weeks.

4 As a result, Mr. Egigba joins the government in requesting that this Court
5 stay these habeas proceedings while the parties wait to see whether Mr. Egigba is
6 granted a bond hearing before the IJ and what the outcome of that bond hearing is.
7 The parties could file a status report regarding the bond hearing with this Court by
8 May 18, 2026.

9
10 Respectfully submitted,

11
12 Dated: May 4, 2026

s/ Camille Fenton

Camille Fenton

Federal Defenders of San Diego, Inc.

Attorneys for Mr. Egigba

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