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10 **UNITED STATES DISTRICT COURT**

11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 JOSIAS PEREZ GONZALEZ,

13 Petitioner,

14 v.

15 PAMELA BONDI, U.S. Attorney General;
16 *et al.*,

17 Respondents.
18

Case No.: 26-cv-02258-DMS-VET

RESPONSE TO PETITION

19
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). Since 2009, Petitioner has been arrested several times for serious domestic violence
23 offenses in the state of Georgia, including cruelty to children. Petitioner's most recent arrest
24 for domestic violence related charges occurred in January 2025¹, just before Petitioner was
25 taken into ICE custody. In 2024, Petitioner was convicted of driving under the influence of
26

27 ¹ The government is informed that, on or about January 5, 2025, Petitioner was arrested in Georgia for
28 the crimes of domestic battery, felony cruelty to children, and resisting arrest. Petitioner's charges are
still pending in the state of Georgia.

1 alcohol (DUI). On March 6, 2026, Petitioner was ordered removed to El Salvador by an
2 Immigration Judge (IJ). ECF No. 1 at 3. Petitioner subsequently appealed the removal
3 order. *Id.*

4 Despite Petitioner's history of violence, the government acknowledges that courts in
5 this District have repeatedly inferred a constitutional right against prolonged mandatory
6 detention. Taking into consideration those prior rulings and the length of time Petitioner
7 has been in custody, the government concedes that this Court should order that Petitioner
8 receive a bond hearing, where the government would bear the burden of proof of
9 establishing, by clear and convincing evidence, that Petitioner poses a danger to the
10 community or a risk of flight. *See Sadeqi v. LaRose*, No. 25-cv-2587-RSH-BJW, 2025 WL
11 3154520 (S.D. Cal. Nov. 12, 2025); *Gao v. LaRose*, No. 25-cv-2084-RSH-SBC, 2025 WL
12 2770633 (S.D. Cal. Sept. 26, 2025).

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14 DATED: April 20, 2026

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15
16 *s/ Camille Savedra*
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