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10 **UNITED STATES DISTRICT COURT**

11 **SOUTHERN DISTRICT OF CALIFORNIA**

12
13 GERSON NOE ZAMBRANO GOMEZ,

14 Petitioner,

15 v.

16 CHRISTOPHER J. LAROSE, *et al.*,

17 Respondents.
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Case No.: 3:26-cv-02319-LL-SBC

RESPONSE TO PETITION

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21 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. Petitioner is subject
22 to mandatory detention under 8 U.S.C. § 1225(b). *See Jennings v. Rodriguez*, 583 U.S.
23 281 (2018). However, the government acknowledges that courts in this District have
24 repeatedly inferred a constitutional right against prolonged mandatory detention. Taking
25 into consideration those prior rulings and the length of time Petitioner has been in
26 custody, the government concedes that this Court should order that Petitioner receive an
27 individualized bond hearing, where the government would bear the burden of proof of
28 establishing, by clear and convincing evidence, that Petitioner poses a danger to the

1 community or a risk of flight.¹ *See Sadeqi v. LaRose*, 809 F.Supp.3d 1090 (S.D. Cal.
2 2025); *Gao v. LaRose*, 805 F.Supp.3d 1106 (S.D. Cal. 2025).

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4 DATED: April 21, 2026

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6 Respectfully submitted,

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9 *s/ Roger G. Wright*
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25 ¹ Based upon the allegation in the Petition that “DHS” has raised the “serious nonpolitical
26 crime bar” bar in Petitioner’s immigration proceedings, the government respectfully
27 submits the remedy of an individualized bond hearing is the most appropriate form of
28 relief in this matter as opposed to Petitioner’s primary requested remedy of immediate
release. ECF No. 1 at ¶ 19.