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9 Attorneys for Respondent

10 UNITED STATES DISTRICT COURT

11 SOUTHERN DISTRICT OF CALIFORNIA

12 GERARDO ARIAS NUNEZ,

13 Petitioner,

14 v.

15 WARDEN OTAY MESA DETENTION  
16 CENTER,

17 Respondent.

Case No.: 3:26-cv-02235-DMS-DEB

RESPONSE TO PETITION

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 19  
 20 Based upon the allegations set forth in the Petition, Petitioner appears to be a  
 21 member of the Bond Eligible Class certified in *Maldonado Bautista v. Santacruz*, No. 5:25-  
 22 CV-01873-SSS-BFM, --- F. Supp. 3d ---, 2025 WL 3288403 (C.D. Cal. Nov. 25, 2025).  
 23 The Ninth Circuit later stayed application of the Order beyond the Central District of  
 24 California. However, Respondents acknowledges prior orders from this District directing  
 25 bond hearings pursuant to 8 U.S.C. § 1226(a) in similar cases.<sup>1</sup> *See, e.g., Trujillo v. Noem*,  
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27  
 28 <sup>1</sup> To the extent the Court issues an order directing a bond hearing under 1226(a),  
 considering heavy caseloads and staffing levels, Respondents respectfully request that such

1 No. 26-cv-00268-BAS-VET, 2026 WL 266496, at \*2 (S.D. Cal. February 2, 2026).  
2 Respondents therefore do not oppose an order from this Court directing a bond hearing be  
3 held pursuant to 8 U.S.C. § 1226(a).

4  
5 DATED: April 22, 2026

6  
7 Respectfully submitted,

8 ADAM GORDON  
9 United States Attorney

10 s/ Roger G. Wright  
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order provide the government 14 days from issuance to hold such bond hearing.