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9 Attorneys for Respondents

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

13 SAMUEL AREFAYNE,

14 Petitioner,

15 v.

16 PATRICK ZIEMER, *CEO, Alvarado*
17 *Parkway Institute Behavioral Health*
18 *System, et al,*

19 Respondents.
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21
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Case No.: 26-cv-02357-BAS-AHG

**RETURN TO PETITION FOR
WRIT OF HABEAS CORPUS**

23 Respondents, by and through counsel, hereby respond to the Petition for Writ of
24 Habeas Corpus. Undersigned counsel is unable to ascertain sufficient facts at this time to
25 establish that there is a significant likelihood of removal in the reasonably foreseeable
26 future. *See Zadvydas v. Davis*, 533 U.S. 678 (2001). Respondents therefore acknowledge
27 that Petitioner is entitled to be released from custody subject to conditions of supervision.
28 *See* 8 U.S.C. § 1231(a)(3); 8 C.F.R. § 241.13(h)(1); *Ba v. Lyons*, No. 25-cv-2871-CAB-

1 BJW, 2026 WL 218936, at *1 (S.D. Cal. Jan. 27, 2026) (“The habeas statute does not
2 empower courts to manage ICE supervision programs.”) (citing 28 U.S.C. § 2241(c)(3));
3 *Khachikian v. Casey*, No. 25-cv-3737-GPC-JLB, ECF No. 13 (S.D. Cal. Jan. 13, 2026)
4 (“Ultimately, ICE has discretion to impose conditions on release.”).

5 DATED: April 22, 2026

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9 *s/Danielle L. Brown*
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