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

11 GEBREKIRSTOS GEBREYOHANS,

12 Petitioner,

13 v.
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15 MARKWAYNE MULLIN, *Secretary, U.S.*
Department of Homeland Security, et al.,

16 Respondents.
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Case No.: 26-cv-02385-RSH-DEB

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

1 Respondents, by and through counsel, hereby respond to the Petition for Writ of
2 Habeas Corpus. Respondents acknowledge that Petitioner is entitled to be released from
3 custody subject to conditions of supervision. *See* 8 U.S.C. § 1231(a)(3); 8 C.F.R.
4 § 241.13(h)(1); *Ba v. Lyons*, No. 25-cv-2871-CAB-BJW, 2026 WL 218936, at *1 (S.D.
5 Cal. Jan. 27, 2026) (“The habeas statute does not empower courts to manage ICE
6 supervision programs.”) (citing 28 U.S.C. § 2241(c)(3)); *Khachikian v. Casey*, No. 25-
7 cv-3737-GPC-JLB, ECF No. 13 (S.D. Cal. Jan. 13, 2026) (“Ultimately, ICE has
8 discretion to impose conditions on release.”).

9 DATED: April 22, 2026

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