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10 **UNITED STATES DISTRICT COURT**

11 **SOUTHERN DISTRICT OF CALIFORNIA**

13 RONANGEL DANIEL BRIZUELA
14 SANTAELLA,

15 Petitioner,

16 v.

17 DIRECTOR, OTAY MESA DETENTION
18 CENTER, *et al.*,

19 Respondents.

Case No.: 3:26-cv-02364-TWR-DDL

RESPONSE TO PETITION

21 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. The government has
22 carefully reviewed this petition and determined that the legal issues presented concern the
23 statutory authority for U.S. Immigration and Customs Enforcement's (ICE) detention of
24 Petitioner under 8 U.S.C. §§ 1225(b)(2)(A) or 1226(a). While reserving all rights, including
25 the right to appeal, the government respectfully submits this abbreviated response to
26 preserve the legal issues, to conserve judicial and party resources, and to expedite the
27 Court's consideration of this matter.

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1 It is the government's position that Petitioner is subject to mandatory detention under
2 § 1225(b)(2). However, the government acknowledges that this Court, and Courts in this
3 District, have repeatedly reached the opposite conclusion under the same and/or similar
4 facts. *See, e.g., Arias Torres v. Bondi*, No. 25-cv-2457-BAS-MSB, 2025 WL 3214773
5 (S.D. Cal. Nov. 18, 2025); *Martinez Lopez v. LaRose*, No. 25-cv-2717-JES-AHG, 2025
6 WL 3030457 (S.D. Cal. Oct. 30, 2025); *Beltran v. Noem*, No. 25cv2650-LL-DEB, 2025
7 WL 3078837 (S.D. Cal. Nov. 4, 2025); *Garcia v. Noem*, 803 F. Supp. 3d 1064 (S.D. Cal.
8 2025); *Esquivel-Ipina v. LaRose*, No. 25-CV-2672 JLS (BLM), 2025 WL 2998361 (S.D.
9 Cal. Oct. 24, 2025); *Lucas-Miguel v. LaRose*, No. 25-cv-3022-RSH-JLB, 2025 WL
10 3251580 (S.D. Cal. Nov. 21, 2025); *Vasquez-Diaz v. LaRose*, No. 25-cv-3038-TWR-JLB,
11 ECF No. 6 (S.D. Cal. Nov. 13, 2025); *Cardoso v. LaRose*, No. 25-cv-3043-BJC-VET, ECF
12 No. 7 (S.D. Cal. Dec. 12, 2025); *Maceda-Garcia v. Noem*, No. 25-cv-2968-JO-JLB, ECF
13 No. 9 (S.D. Cal. Nov. 13, 2025); *A.S. v. LaRose*, No. 25-cv-2876-RBM-VET, ECF No. 9
14 (S.D. Cal. Nov. 19, 2025); *Prieto-Cordova v. LaRose*, No. 25-cv-2824-CAB-DDL, 2025
15 WL 3228953 (S.D. Cal. Nov. 19, 2025); *Lagarda-Vega v. Noem*, No. 25-cv-2970-GPC-
16 DDL, 2025 WL 3558931 (S.D. Cal. Dec. 11, 2025); *Nayyer v. LaRose*, No. 25-cv-3111-
17 AGS-DDL, ECF No. 7 (S.D. Cal. Dec. 12, 2025); *Amaya v. Noem*, No. 25cv2892-BTM-
18 DEB, 2025 WL 3182998 (S.D. Cal. Nov. 13, 2025).

19 The government acknowledges that this Court's prior decisions will control the
20 result here if the Court adheres to its prior decisions, as the facts are not materially
21 distinguishable for purposes of the Court's decision, and on that basis the government does
22 not oppose the petition and defers to the Court on the appropriate relief.¹

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¹ 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 order provide the government 14 days from issuance to hold such bond hearing.

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Respectfully submitted,

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