

1 ADAM GORDON
United States Attorney
2 HUNTER V. NORTON
Assistant United States Attorney
3 Washington, D.C. Bar No. 1780736
Office of the U.S. Attorney
4 880 Front Street, Room 6293
San Diego, CA 92101-8893
5 Telephone: (619) 546-8592
Email: Hunter.Norton2@usdoj.gov

6 Attorneys for Respondents
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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10
11 RENG RONG YU, *also known as*
12 RUNRONG YU,

13 Petitioner,

14 v.
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16 TODD M. LYONS, *Acting Director, U.S.*
Immigration and Customs Enforcement,
17 *et al.,*

18 Respondents.
19

Case No.: 3:26-cv-02438-LL-ddl

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

20 On April 16, 2026, Petitioner filed a habeas petition challenging, among other
21 things, his continued detention in immigration custody since the vacatur of his criminal
22 conviction in Southern District of California Case No. 24-cr-1662-JO. ECF No. 1 at 9-
23 16. However, Petitioner is not in immigration custody. Because Petitioner has made an
24 improper habeas claim, that does not challenge his *current* detention, the Court should
25 dismiss the Petition.

26 Petitioner is currently in criminal custody with the United States Marshal's
27 Service (USMS), pursuant to a Writ Of Habeas Corpus Ad Prosequendum signed by
28 District Court Judge Jinsook Ohta. *See* Exhibit 1 at 2. Accordingly, Petitioner has failed

1 to supply sufficient information for the Court to adjudicate his claims. Specifically,
2 Petitioner has failed to show how his detention in USMS custody, pursuant to Judge
3 Ohta's Order, while his criminal proceedings are still ongoing, is unlawful or violates
4 his rights. Based on the foregoing, Respondents' respectfully request the Court dismiss
5 the petition, and deny the requested injunctive relief.

6 DATED: April 27, 2026

Respectfully submitted,

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8 ADAM GORDON
United States Attorney

9 *s/Hunter V. Norton*

10 Hunter V. Norton
11 Assistant United States Attorney

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13 Attorneys for Respondents
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