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Attorneys for Petitioner

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

M.K.,

Petitioner,

v.

SIXTO MARRERO, Warden of the
Imperial Regional Detention Facility, et
al.,

Respondents.

Case No. 3:26-cv-02499-RBM-MMP

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

1 Petitioner M.K. respectfully submits this reply in response to the
 2 Respondents' Return Brief. M.K. respectfully requests that the Court order his
 3 immediate release without bond because his continued detention is not justified and
 4 the Court has authority to grant such relief. In appropriate circumstances, this
 5 Court has granted immediate release without a bond hearing. *See Silvestre-*
 6 *Mendoza v. Noem*, No. 3:25-cv-03206-RBM-DDL, 2025 WL 3512410 (S.D. Cal.
 7 Dec. 8, 2025); *Perez Solis v. Larose*, No. 3:26-cv-01532-RBM-AHG, 2026 WL
 8 849304 (S.D. Cal. Mar. 26, 2026); *Abdirahman v. Noem*, No. 3:26-cv-00177-RBM-
 9 AHG, 2026 WL 311509 (S.D. Cal. Feb. 5, 2026). In the alternative, and to avoid
 10 any delay in relief, M.K. agrees with Respondents' position that, due to Petitioner's
 11 prolonged detention, he now has the right to a bond hearing where the government
 12 must establish by clear and convincing evidence that Petitioner is a flight risk or a
 13 danger to society. Petitioner therefore respectfully requests that the Court order the
 14 bond hearing to be scheduled as soon as practicable, within seven days, with the
 15 Government bearing the burden of justifying his continued detention.

16 In the event M.K. is ordered released, whether through the Court granting
 17 immediate release or through a bond hearing, he respectfully requests that the Court
 18 direct Respondents to promptly return all personal documents and property in their
 19 possession, including his passport and other identification documents. This will
 20 allow him to comply with all terms of his release, seek employment, attend any
 21 future immigration hearings, respond to future immigration requests, and continue
 22 complying with all laws as he has done up to this point.

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24 Dated: May 4, 2026

MORRISON & FOERSTER LLP

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26 /s/ Brian M. Kramer
BRIAN M. KRAMER

27 *Attorney for Petitioner*
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