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6 Attorneys for Respondents

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

9 KHALIL SHAHIN,

10 Petitioner,

11 v.

12 CHRISTOPHER LAROSE, et al.,

13 Respondents.
14
15

Case No.: 3:26-cv-02591-AGS-MSB

RESPONSE TO PETITION

16 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. Petitioner is subject
17 to mandatory detention under 8 U.S.C. § 1225(b). *See Jennings v. Rodriguez*, 583 U.S.
18 281 (2018). However, the government acknowledges that courts in this District have
19 repeatedly inferred a constitutional right against prolonged mandatory detention.
20 Taking into consideration those prior rulings and the length of time Petitioner has been
21 in custody, the government concedes that this Court should order that Petitioner receive
22 a bond hearing, where the government would bear the burden of proof of establishing,
23 by clear and convincing evidence, that Petitioner poses a danger to the community or a
24 risk of flight. *See Sadeqi v. LaRose*, No. 25-cv-2587-RSH-BJW, 2025 WL 3154520
25 (S.D. Cal. Nov. 12, 2025); *Gao v. LaRose*, No. 25-cv-2084-RSH-SBC, 2025 WL
26 2770633 (S.D. Cal. Sept. 26, 2025).

27 DATED: April 30, 2026

Respectfully submitted,

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ADAM GORDON
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s/ Allie E. Malone
ALLIE E. MALONE
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Attorneys for Respondents