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9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA

11 MIGUEL ULLOA-PEREZ,

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13 Petitioner,

14 v.

15 PAMELA BONDI; et al.,

16 Respondents.
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Case No.: 26-cv-2562-TWR-DDL

RESPONSE TO PETITION

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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).¹

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26 ¹ Petitioner is not subject to a final order of removal and is currently in removal proceedings
27 pursuant to 8 U.S.C. § 1229a. Accordingly, Petitioner is not subject to detention under 8
28 U.S.C. § 1231 and *Zadvydas v. Davis*, 533 U.S. 678 (2001), is inapplicable to an analysis
of Petitioner's detention.

1 It is the government's position that Petitioner is subject to mandatory detention under
2 § 1225(b)(2). However, Petitioner appears to be a member of the Bond Eligible Class
3 certified in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp.
4 3d ---, 2025 WL 3288403 (C.D. Cal. Nov. 25, 2025). The Ninth Circuit later stayed
5 application of the Order beyond the Central District of California. Respondents
6 acknowledge the prior orders from this District directing bond hearings pursuant to 8 U.S.C.
7 § 1226(a) in similar cases.² Respondents therefore do not oppose an order from this Court
8 directing a bond hearing be held pursuant to 8 U.S.C. § 1226(a).

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10 DATED: April 27, 2026

ADAM GORDON
United States Attorney

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12 s/ Erin Dimbleby
ERIN DIMBLEBY
Assistant United States Attorney
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27 ² To the extent the Court issues an order directing a bond hearing under 1226(a),
28 considering heavy caseloads and staffing levels, Respondents respectfully request that such
order provide the government 14 days from issuance to hold such bond hearing.