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9 Attorneys for Respondents

10 **UNITED STATES DISTRICT COURT**

11 **SOUTHERN DISTRICT OF CALIFORNIA**

12
13 JUAN OSCAR CRUZ-COLMANARES,

14 Petitioner,

15 v.

16 PATRICK DIVVER, *et al.*,

17 Respondents.
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Case No.: 3:26-cv-02635-LEK-JLB

RESPONSE TO PETITION

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21 Based upon the allegations set forth in the Petition (ECF 1), Petitioner appears to
22 be a member of the Bond Eligible Class certified in *Maldonado Bautista v. Santacruz*,
23 No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ---, 2025 WL 3288403 (C.D. Cal. Nov.
24 25, 2025), *amended and superseded on reconsideration by* 813 F.Supp.3d 1084 (C.D.
25 Cal. 2025). The Ninth Circuit has stayed application of the *Maldonado Bautista* class
26 certification except in the Central District of California. However, Respondents
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28

1 acknowledges prior orders from this District directing bond hearings pursuant to 8 U.S.C.
2 § 1226(a) in similar cases. *See, e.g., Salano v. Noem*, No. 26-cv-01278-BAS-DDL, 2026
3 WL 675564 (S.D. Cal. March 10, 2026) (recognizing stay of *Maldonado Bautista* outside
4 of Central District of California but still applying rationale of the decision in granting
5 bond hearing under 1226(a)). Respondents therefore do not oppose an order from this
6 Court directing a bond hearing be held pursuant to 8 U.S.C. § 1226(a).¹
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9 DATED: May 5, 2026
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11 Respectfully submitted,

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13 United States Attorney

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27 ¹ 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.