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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

HAOXU YIN, Petitioner, v. MARKWAYNE MULLIN, Secretary of the Department of Homeland Security, *et al.*, Respondents.	Case No. 26-cv-02668-GPC-GC **RESPONDENTS' SUPPLEMENTAL RESPONSE**

Pursuant to the Court's July 7, 2026 Order for Supplemental Briefing, ECF No. 11, Respondents submit the following supplemental response to Petitioner's *Zadvydas* argument.

Respondents maintain their position that Petitioner is subject to a final order of removal and detained under 8 U.S.C. § 1231(a) while Respondents effectuate Petitioner's removal to China. However, as of this filing, Respondents are still waiting for Petitioner's travel document from the People's Republic of China. As such, undersigned counsel is no longer able to provide the Court facts sufficient to establish that there is a significant likelihood of Petitioner's removal in the reasonably foreseeable future. *See Zadvydas v. Davis*, 533 U.S. 678 (2001). The government therefore acknowledges that Petitioner is entitled to be released from custody subject to conditions of supervision. *See* 8 U.S.C. § 1231(a)(3); 8 C.F.R. § 241.13(h)(1); *Ba v. Lyons*, No. 25-cv-2871-CAB-BJW, 2026 WL 218936, at *1 (S.D. Cal. Jan. 27, 2026)

("The habeas statute does not empower courts to manage ICE supervision programs.") (citing 28 U.S.C. § 2241(c)(3)); *Khachikian v. Casey*, No. 25-cv-3737-GPC-JLB, ECF No. 13 (S.D. Cal. Jan. 13, 2026) ("Ultimately, ICE has discretion to impose conditions on release.").

Dated: July 10, 2026

Respectfully submitted,

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s/ Camille Savedra
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