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

9 JUAN CEJA RODRIGUEZ,

10 Petitioner,

11 v.

12 WARDEN OF IMPERIAL REGIONAL
13 FACILITY,

14 Respondent.

Case No.: 3:26-cv-02669-JLS-DDL

RESPONSE TO PETITION

15
16 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. The government
17 has carefully reviewed this petition and determined that the legal issues presented
18 concern the statutory authority for U.S. Immigration and Customs Enforcement's
19 detention of Petitioner under 8 U.S.C. §§ 1225(b)(2)(A) or 1226(a). While reserving all
20 rights, including the right to appeal, the government respectfully submits this
21 abbreviated response to preserve the legal issues, to conserve judicial and party
22 resources, and to expedite the Court's consideration of this matter.

23 It is the government's position that Petitioner is subject to mandatory detention
24 under § 1225(b)(2). However, the government acknowledges that this Court, and Courts
25 in this District, have repeatedly reached the opposite conclusion under the same and/or
26 similar facts. *See, e.g., Arias Torres v. Bondi*, No. 25-cv-2457-BAS-MSB, 2025 WL
27 3214773 (S.D. Cal. Nov. 18, 2025); *Martinez Lopez v. LaRose*, No. 25-cv-2717-JES-
28 AHG, 2025 WL 3030457 (S.D. Cal. Oct. 30, 2025); *Beltran v. Noem*, No. 25cv2650-

1 LL-DEB, 2025 WL 3078837 (S.D. Cal. Nov. 4, 2025); *Garcia v. Noem*, 803 F. Supp.
 2 3d 1064 (S.D. Cal. 2025); *Esquivel-Ipina v. LaRose*, No. 25-CV-2672 JLS (BLM), 2025
 3 WL 2998361 (S.D. Cal. Oct. 24, 2025); *Lucas-Miguel v. LaRose*, No. 25-cv-3022-RSH-
 4 JLB, 2025 WL 3251580 (S.D. Cal. Nov. 21, 2025); *Vasquez-Diaz v. LaRose*, No. 25-
 5 cv-3038-TWR-JLB, ECF No. 6 (S.D. Cal. Nov. 13, 2025); *Cardoso v. LaRose*, No. 25-
 6 cv-3043-BJC-VET, ECF No. 7 (S.D. Cal. Dec. 12, 2025); *Maceda-Garcia v. Noem*, No.
 7 25-cv-2968-JO-JLB, ECF No. 9 (S.D. Cal. Nov. 13, 2025); *A.S. v. LaRose*, No. 25-cv-
 8 2876-RBM-VET, ECF No. 9 (S.D. Cal. Nov. 19, 2025); *Prieto-Cordova v. LaRose*, No.
 9 25-cv-2824-CAB-DDL, 2025 WL 3228953 (S.D. Cal. Nov. 19, 2025); *Lagarda-Vega*
 10 *v. Noem*, No. 25-cv-2970-GPC-DDL, 2025 WL 3558931 (S.D. Cal. Dec. 11, 2025);
 11 *Nayyer v. LaRose*, No. 25-cv-3111-AGS-DDL, ECF No. 7 (S.D. Cal. Dec. 12, 2025);
 12 *Amaya v. Noem*, No. 25cv2892-BTM-DEB, 2025 WL 3182998 (S.D. Cal. Nov. 13,
 13 2025).

14 The government acknowledges that this Court's prior decisions will control the
 15 result here if the Court adheres to its prior decisions, as the facts are not materially
 16 distinguishable for purposes of the Court's decision, and on that basis the government
 17 does not oppose the petition and defers to the Court on the appropriate relief.¹

18 DATED: May 4, 2026

Respectfully submitted,

ADAM GORDON
 United States Attorney

s/ Allie E. Malone
 ALLIE E. MALONE
 Assistant United States Attorney
 Attorneys for Respondent

26
 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.