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7 Attorneys for Respondents

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

10 YUXING GAO,

11 Petitioner,

12 v.

13 MARKWAYNE MULLIN, Secretary of the
Department of Homeland Security; TODD
14 BLANCHE, Acting Attorney General;
TODD M. LYONS, Acting Director,
Immigration and Customs Enforcement;
15 JESUS ROCHA, Acting Field Office
Director, San Diego Field Office; JEREMY
16 CASEY, Warden at Imperial Regional
Detention Facility,

17 Respondents.

Case No.: 26-cv-02671-BAS-AHG

**RETURN TO PETITION FOR
WRIT OF HABEAS CORPUS**

1 Respondents, by and through counsel, hereby respond to the Petition for Writ of
2 Habeas Corpus. Undersigned counsel is unable to ascertain sufficient facts at this time
3 to establish that Petitioner's supervised release was revoked according to the procedures
4 established by law. Respondents therefore acknowledge that Petitioner is entitled to be
5 released from custody subject to conditions of supervision. *See* 8 U.S.C. § 1231(a)(3);
6 8 C.F.R. § 241.13(h)(1); *Ba v. Lyons*, No. 25-cv-2871-CAB-BJW, 2026 WL 218936, at
7 *1 (S.D. Cal. Jan. 27, 2026) ("The habeas statute does not empower courts to manage
8 ICE supervision programs.") (citing 28 U.S.C. § 2241(c)(3)); *Khachikian v. Casey*, No.
9 25-cv-3737-GPC-JLB, ECF No. 13 (S.D. Cal. Jan. 13, 2026) ("Ultimately, ICE has
10 discretion to impose conditions on release.").

11 DATED: May 14, 2026

Respectfully submitted,

12 ADAM GORDON
13 United States Attorney

14 s/ Hunter V. Norton
15 HUNTER V. NORTON
16 Assistant U.S. Attorney

17 Attorney for Respondents
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