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Attorney for Petitioner

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

NIDAL ALMASHRIKI

Case No.: 26-cv-02682-BJC-AHG

Petitioners,

v.

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

CHRISTOPHER LAROSE, warden of
Otay Mesa Detention Center
PATRICK DIVVER, San Diego Field
Office Director, Immigration and Customs
Enforcement and Removal Operations
("ICE/ERO");
TODD LYONS, Acting Director of
Immigration Customs Enforcement
("ICE");
MARKWAYNE MULLIN, Secretary of
the Department of Homeland Security
("DHS");
ACTING Attorney General of the United
States,
U.S. DEPARTMENT OF HOMELAND
SECURITY;
U.S. IMMIGRATION AND CUSTOMS
ENFORCEMENT;

Respondents.

1 Petitioner, NIDAL ALMASHRIKI, by and through his attorney of record, BRIAN
2 J. MCGOLDRICK, hereby submits this TRAVERSE to the PETITION FOR WRIT OF
3 HABEAS CORPUS and states as follows:

4 The Government, in their RETURN have conceded that "this Court should
5 order that Petitioner receive a bond hearing, where the government would bear the
6 burden of proof of establishing, by clear and convincing evidence, that Petitioner
7 poses a danger to the community or a risk of flight." *ECF 4 p. 1-2*

9 The Petitioner requests this court

- 10 1. Grant the Petition for a Writ of Habeas Corpus;
- 11 2. Order that Petitioner receives a bond hearing, where the government
12 would bear the burden of proof of establishing, by clear and convincing
13 evidence, that Petitioner poses a danger to the community or a risk of
14 flight.
- 15 3. Require a status report as to whether Petitioners have been granted a bond
16 and, if not, an opportunity for further briefing as to whether this court's
17 order regarding burden of proof has been properly followed.
18
- 19 4. For any other relief this court deems necessary.

20 Dated: May 11, 2026

Respectfully submitted,

21 By: /s/ Brian J. McGoldrick
22 Brian J. McGoldrick, Esq.
23 Attorney for Petitioners
24

CERTIFICATE OF SERVICE

I, Brian J. McGoldrick, CERTIFY

I am over the age of 18 and not a party to this matter. My business address is 4916 Del Mar Avenue, San Diego, CA 92107. On May 11, 2026, I served a copy of this

TRAVERSE TO PETITION FOR WRIT OF HABEAS CORPUS

by the method and to the parties listed below:

On May 11, 2026, I accessed the electronic mailing list for CM/ECF users in this case and representatives of all parties are CM/ECF users and are noticed as follows:

- **Jacob Tyler Metzger**
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/s/Brian J. McGoldrick
Brian J. McGoldrick, Esq.
Counsel for Petitioners