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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

HAMOOD ABDIKADIR MOHAMED,

Petitioner,

v.

JEREMY CASEY, Warden, Imperial Regional Detention Center, et al.,

Respondents.

Case No.: 3:26-cv-02612-JLS-BJW

PETITIONER'S MOTION TO ENFORCE JUDGMENT

Honorable Janis L. Sammartino

INTRODUCTION

Pursuant to Federal Rule of Civil Procedure 70(a) and this Court's inherent authority to enforce its own orders, Petitioner Hamood Abdikadir Mohamed seeks an order of immediate release. On May 29, 2026, the Court granted in part Mr. Mohamed's Amended Petition for Writ of Habeas Corpus and ordered Respondents to provide him with a bond hearing within fourteen days. ECF No. 15. The Court's order was explicit about the burden of proof: "The Government SHALL bear the burden of establishing by clear and convincing evidence that Petitioner is a danger

to the community or a flight risk if released." *Id.* at 2. On June 12, 2026, an immigration judge ("IJ") held the bond hearing, found that Mr. Mohamed poses no danger to the community, and denied bond on a finding of flight risk. ECF No. 17; Ex. 2.

Although the IJ's written order recites the phrase "clear and convincing," the record demonstrates that the IJ never held the government to that burden. The IJ conducted the hearing under the standard custody-redetermination framework of 8 C.F.R. § 1236, under which the noncitizen must justify his release; never stated at any point in the hearing that the government bore any burden of proof; rested her flight-risk finding on *Matter of R-A-V-P*, 27 I&N Dec. 803 (BIA 2020), a decision that assigns the burden of proof to the noncitizen; and denied bond on a record in which the Department of Homeland Security ("DHS") submitted no evidence at all. DHS's entire affirmative showing was a closing argument consisting of speculation that Mr. Mohamed "could very easily disappear into the woodwork," in the course of which DHS counsel conceded: "I'm sure he doesn't have any intention of fleeing the United States." Ex. 1 at 11. Speculation is not clear and convincing evidence, and a concession is not proof of flight risk.

The IJ therefore did not conduct the hearing this Court ordered, and Mr. Mohamed remains unlawfully detained. He respectfully requests that this Court find that Respondents violated the May 29 order and direct his immediate release.

In the alternative, he requests a new bond hearing before a different immigration judge, conducted in compliance with this Court's order and subject to the safeguards described below.

STATEMENT OF THE CASE

A. Background and Removal Proceedings

Mr. Mohamed is a citizen of Somalia who fled the war there after his brother was killed. ECF No. 13 at 2. He came to the United States on January 25, 2025, requested asylum when he was taken into custody by Border Patrol, and has been detained ever since, a period now exceeding nineteen months. *Id.* An IJ heard the merits of his case on March 13, 2026, and denied relief. At one point during his detention, and while his proceedings remained pending, immigration officers placed Mr. Mohamed on an aircraft to deport him. He was "shaking, crying, and begging for his life," and the pilot refused to fly him. *Id.*

B. Habeas Proceedings and This Court's Order

Mr. Mohamed filed an Amended Petition for Writ of Habeas Corpus arguing that his prolonged detention without a bond hearing violated due process. ECF No. 13. In their Return, Respondents conceded "that this Court should order that Petitioner receive an individualized bond hearing, where the government would bear the burden of proof of establishing, by clear and convincing evidence, that Petitioner poses a danger to the community or a risk of flight." ECF No. 14 at 1–2.

On May 29, 2026, the Court granted the Amended Petition in part and ordered Respondents to provide a bond hearing within fourteen days, at which "[t]he Government SHALL bear the burden of establishing by clear and convincing evidence that Petitioner is a danger to the community or a flight risk if released." ECF No. 15 at 2. Judgment was entered the same day. ECF No. 16.

C. The June 12, 2026 Bond Hearing

The bond hearing was held on June 12, 2026, at the Imperial Immigration Court. Ex. 1.[1] The parties thereafter filed a Joint Status Report informing the Court that bond had been denied on a finding of flight risk. ECF No. 17.

The IJ opened the hearing by framing it as Mr. Mohamed's application: "we are here to discuss your request for release on bond. We are having this hearing because your lawyer was able to get an order from a San Diego judge commanding this hearing." Ex. 1 at 1. That was the IJ's only reference to this Court's order. At no point during the hearing did the IJ state that the government bore the burden of proof, identify the standard of proof to be applied, or direct DHS to present evidence in support of continued detention.

[1]Exhibit 1 is unaltered transcript of the official audio recording of the June 12, 2026 bond hearing, generated by the automated transcription service of Rev.com. The transcript identifies speakers by number; this motion identifies them by role. Petitioner will lodge the audio recording with the Court should Respondents dispute the accuracy of the transcription. Exhibit 2 is the IJ's written order of June 12, 2026.

Instead, the IJ devoted the hearing to testing Mr. Mohamed's own evidence. She questioned him at length about his proposed sponsor, a maternal cousin who has lived in the United States for more than twenty-five years, owns a home in Minnesota, operates a trucking business, and is employed in government medical services. Ex. 1 at 1–4, 12. The IJ suggested that the sponsor's signature on his letter "seems to be very different from the signature that appears on other documents," *id.* at 2–3, and expressed concern that the sponsor's bank records showed he "seems to only have about $145 left in the bank" at the end of January 2026, *id.* at 4, although Mr. Mohamed noted that the same records showed his cousin owns a home. *Id.*

DHS conceded on the record that Mr. Mohamed is not a danger to the community. *Id.* at 3. DHS counsel then cross-examined Mr. Mohamed about his time in South Africa, where he held refugee status before anti-immigrant violence, repeated robberies of his store, and the killing of his business partner drove him out. *Id.* at 4–6, 8–9. When Mr. Mohamed's immigration counsel attempted to elicit testimony on that subject, the IJ cut it off: "Counsel, I think we're spending a little too much time on this whole South Africa thing." *Id.* at 9. When counsel asked whether Mr. Mohamed believed his BIA appeal has merit, the IJ interjected: "His belief is irrelevant, sir." *Id.* at 10.

Mr. Mohamed testified without contradiction that he has attended every one of his immigration court hearings, that he will comply with all court and ICE requirements if released, that he has no intention of fleeing, and that his valid passport is being held by ICE. *Id.* at 9–11.

DHS called no witnesses and submitted no documents. Its entire affirmative presentation was the following closing argument:

> The government's position, Your Honor, is that this gentleman is a flight risk. He's already been granted asylum in one country and for some reason chose not to take advantage of it and came to the United States illegally with the intention of doing who knows what. But the bottom line is because of the removal order that's pending and the very doubtful appeal that's been filed in this case, this gentleman could very easily disappear into the woodwork. I'm sure he doesn't have any intention of fleeing the United States, but that doesn't mean that he's going to continue to report and to stay in contact with the authorities that need to be kept informed of his whereabouts. So we think it's a flight risk, Your Honor.

Ex. 1 at 11.

The IJ then ruled from the bench, reviewing the factors listed in *Matter of Guerra*, 24 I&N Dec. 37 (BIA 2006). She acknowledged that Mr. Mohamed has a fixed address available at his cousin's home but returned to her concerns about the cousin's month-end bank balance and his dependents; found that eighteen months in the United States is "not a particularly significant amount of time"; noted that his only family tie is his cousin, who cannot help him adjust his status; observed that

he has no United States employment history; and noted that he entered the country without inspection. Ex. 1 at 12. As to his perfect record of appearances, the IJ reasoned: "You have made your court appearances, but you've been in custody, which has probably helped you in making timely appearances." *Id.* She found no criminal history and no information about other immigration violations. *Id.* Finally, the IJ invoked the "speculative nature" of Mr. Mohamed's pending BIA appeal, stating that "under a case called Matter of RAVP, this court can use that factor to determine whether you pose a risk of flight," and denied bond. *Id.* at 13. The IJ never asked whether any monetary bond or condition of release could address her concerns.

The IJ's written order issued the same day. Ex. 2. It states that "[t]he respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236," and that although Mr. Mohamed "does not pose a danger to the community," "the evidence in this case shows, by a standard of clear and convincing, that Respondent poses a risk of flight." *Id.* The order repeats the custody rationale: "Respondent has made all his court appearances, but only because he is in custody." *Id.* It nowhere identifies any evidence submitted by DHS, nowhere states that the government bore the burden of proof, and nowhere considers whether a monetary bond or conditions of release could mitigate the risk the IJ perceived. *Id.*

ARGUMENT

When a party fails to comply with a judgment requiring the performance of a "specific act," a district court may enforce the judgment by "order[ing] the act to be done." Fed. R. Civ. P. 70(a). After a court issues a conditional writ of habeas corpus, it "retains jurisdiction to ensure compliance" with the writ. *Rose v. Guyer*, 961 F.3d 1238, 1246 (9th Cir. 2020); *see also Harvest v. Castro*, 531 F.3d 737, 741–42, 750 (9th Cir. 2008). "District courts have the authority to review compliance with prior orders granting habeas relief, including orders for bond hearings." *Bayani v. LaRose*, No. 26-CV-266-JES-VET, 2026 WL 1270059, at *3 (S.D. Cal. May 8, 2026) (citing *Leonardo v. Crawford*, 646 F.3d 1157, 1161 (9th Cir. 2011)). "Federal courts also have jurisdiction to review whether the agency properly applied the burden of proof." *Cano v. LaRose*, No. 25-CV-3334-DMS-KSC, 2026 WL 1912081, at *1 (S.D. Cal. July 2, 2026) (citing *Martinez v. Clark*, 124 F.4th 775, 784 (9th Cir. 2024)). Review of the IJ's determination is for abuse of discretion, *Martinez*, 124 F.4th at 784, and "[a]n agency acts contrary to the law when it gives mere lip service or verbal commendation of a standard but then fails to abide the standard in its reasoning and decision." *Nat. Res. Def. Council, Inc. v. Pritzker*, 828 F.3d 1125, 1135 (9th Cir. 2016). Mr. Mohamed does not ask this Court to reweigh evidence. He asks the Court to determine whether Respondents provided the hearing the Court ordered. They did not.

I. The IJ Did Not Hold the Government to Its Burden of Proof; She Conducted the Hearing Under the Standard Framework in Which the Noncitizen Bears the Burden

A. The written order's recital of the standard is lip service

The IJ's written order recites the phrase "by a standard of clear and convincing." Ex. 2. That recital cannot save the decision. A reviewing court "need not take the agency at its word" that it applied the correct standard where the decision raises "red flags" indicating that something is amiss, such as misstating the record, failing to mention highly probative or potentially dispositive evidence, or failing to apply governing law. *Martinez*, 124 F.4th at 784-85; *see also Meza-Diaz v. Garland*, 129 F.4th 546, 554 (9th Cir. 2025). And an agency's "mere lip service" to a standard it does not actually apply is action contrary to law. *Pritzker*, 828 F.3d at 1135. The red flags here are not subtle.

First, the IJ never allocated the burden to the government. At the hearing, she framed the proceeding as "your request for release on bond," occasioned by "an order from a San Diego judge commanding this hearing." Ex. 1 at 1. She treated this Court's order as commanding only the hearing's existence, not its terms. She never stated, at any point over the course of the hearing, that the government bore the burden of proving anything. Her written order likewise frames the proceeding as one in which "[t]he respondent requested a custody redetermination

pursuant to 8 C.F.R. § 1236," Ex. 2, that is, the standard framework in which an alien must establish to the satisfaction of the Immigration Judge that he or she does not present a danger to others, a threat to the national security, or a flight risk. *Matter of Guerra*, 24 I&N Dec. 37, (BIA 2006). The order states that the evidence "shows" a risk of flight by clear and convincing evidence, but it never says whose burden it was to make that showing. *Id.*

Second, the IJ rested her ruling on *Matter of R-A-V-P*, 27 I&N Dec. 803 (BIA 2020). Ex. 1 at 13; Ex. 2. In *R-A-V-P*, the Board affirmed the denial of bond on the ground that the noncitizen had failed to carry *his* burden of demonstrating that he was not a flight risk. 27 I&N Dec. at 804-05. An IJ actually conducting the hearing this Court ordered, with the burden on the government, would have had no occasion to invoke *R-A-V-P*'s framework. The IJ's reliance on it reveals which framework she in fact applied.

Third, the reasoning of both the oral ruling and the written order runs in the wrong direction. When the government bears the burden by clear and convincing evidence, the IJ "must be convinced in the opposite direction: i.e., convinced that Petitioner would not report to authorities." *R.R.M.C. v. Decker*, No. 22 Civ. 2952 (LGS), 2022 WL 4639674, at *4 (S.D.N.Y. Sept. 30, 2022). "An analysis that instead treats gaps or weaknesses in the noncitizen's presentation equally with the affirmative proof submitted by the government collapses this sequence and risks

impermissibly shifting the burden back to the noncitizen[]." *Arredondo v. Baltazar*, No. 25-CV-03040-RBJ, ECF No. 26 at *10 (D. Colo. Dec. 18, 2025). The IJ's decision is a catalogue of perceived deficiencies in Mr. Mohamed's presentation: his sponsor's bank balance, his sponsor's signature, his lack of employment history, his eighteen months of residence. Ex. 1 at 12–13; Ex. 2. Because DHS submitted no affirmative proof whatsoever, deficiencies in Mr. Mohamed's presentation were the only thing the decision *could* catalogue. That is burden shifting, and it is precisely what this Court's order prohibited.

B. DHS presented no evidence, and speculation is not clear and convincing proof

Clear and convincing evidence must instill "an abiding conviction that the truth of [the] factual contentions at issue is highly probable." *Mondaca-Vega v. Lynch*, 808 F.3d 413, 422 (9th Cir. 2015) (en banc). The standard is a high one and "must be demonstrated in fact, not 'in theory.'" *Obregon v. Sessions*, No. 17-CV-01463-WHO, 2017 WL 1407889, at *7 (N.D. Cal. Apr. 20, 2017) (quoting *United States v. Patriarca*, 948 F.2d 789, 792 (1st Cir. 1991)). It applies "because it is improper to ask the individual to share equally with society the risk of error when the possible injury to the individual—deprivation of liberty—is so significant." *Singh v. Holder*, 638 F.3d 1196, 1203–04 (9th Cir. 2011) (cleaned up)

DHS called no witnesses and offered no documents. Its affirmative case consisted of a closing argument built on conjecture, that Mr. Mohamed came to this country "with the intention of doing who knows what" and "could very easily disappear into the woodwork," and crowned by a concession: "I'm sure he doesn't have any intention of fleeing the United States." Ex. 1 at 11. Argument is not evidence, and counsel's speculation about what a detainee "could" do cannot instill an abiding conviction about what he *would* do. If anything, DHS's concession that Mr. Mohamed has no intention of fleeing is affirmative evidence in his favor. Where, as in this record, the government offers nothing, the IJ's obligation under this Court's order was to grant release. The absence of any government evidence at the hearing establishes by itself that the IJ did not require DHS to prove flight risk by clear and convincing evidence.

The only facts DHS invoked were Mr. Mohamed's removal order, which is on appeal, and his refugee status in South Africa. Ninth Circuit law forecloses reliance on the first standing alone: even an administratively final removal order, "[a]lthough . . . a relevant factor in the calculus, . . . alone does not constitute clear and convincing evidence that [a petitioner] presented a flight risk justifying denial of bond." *Singh*, 638 F.3d at 1205. Mr. Mohamed's order is not even final. *See Safinejad v. LaRose*, No. 26-cv-531-JES-AHG, ECF No. 15 at 7–8 (S.D. Cal. June 9, 2026) (granting motion to enforce where the IJ relied primarily on a removal-

phase decision then pending on appeal); *Sales v. Johnson*, No. 16-CV-01745-EDL, 2017 WL 6855827, at *7 (N.D. Cal. Sept. 20, 2017). As for South Africa, the IJ prevented Mr. Mohamed from testifying fully about why refugee status there offers him no refuge, telling counsel the hearing was "spending a little too much time on this whole South Africa thing," Ex. 1 at 9, and then relied on that very status against him, Ex. 2. Evidence that a petitioner is barred from developing cannot supply an abiding conviction of anything.

II. The IJ's Decision Was Not the Reasoned, Individualized Determination Due Process Requires

"[D]ue process requires [an] IJ to consider the relevant evidence[.]" *Vilchez v. Holder*, 682 F.3d 1195, 1198 (9th Cir. 2012). An IJ's failure to mention highly probative or potentially dispositive evidence is a hallmark of legal error, and a court will not credit a catchall statement of consideration where the record indicates otherwise. *Meza-Diaz*, 129 F.4th at 554; *Cole v. Holder*, 659 F.3d 762, 771 (9th Cir. 2011). Three features of this decision independently confirm that Mr. Mohamed did not receive the hearing this Court ordered.

The custody rationale is circular. The IJ discounted Mr. Mohamed's perfect record of appearances because "you've been in custody, which has probably helped you in making timely appearances." Ex. 1 at 12; *see* Ex. 2 ("only because he is in custody"). That reasoning would nullify the appearance-record factor for every

detained noncitizen: no person held throughout proceedings could ever benefit from a record of full compliance. And it is not evidence of flight risk. It is a refusal to weigh the only direct evidence of Mr. Mohamed's conduct that exists, all of which favors him.

The IJ ignored probative evidence. Neither the oral ruling nor the written order mentions that ICE is holding Mr. Mohamed's valid passport, Ex. 1 at 11, a fact that materially constrains any ability to abscond. Neither mentions his uncontradicted testimony that he will comply with every court and ICE requirement, *id.* at 9–10, or DHS's concession that he has no intention of fleeing, *id.* at 11. And the IJ's assessment of the sponsor fixated on a single month-end bank balance while passing over the same submission's evidence that the sponsor has lived in this country for more than twenty-five years, owns his home, and operates a business. *Id.* at 2–4. Nothing in *Guerra* or any other authority conditions bond on a sponsor of independent wealth, and the IJ identified none.

The IJ never considered bond or conditions of release. Flight risk is not a binary question; the likelihood of appearance "could vary from none to great," and the IJ must calibrate the bond amount and conditions to the individualized probability of flight. *Matter of Drysdale*, 20 I&N Dec. 815, 818 (BIA 1994); *see* 8 U.S.C. § 1226(a)(2); *R.R.M.C.*, 2022 WL 4639674, at *3, *5 (requiring consideration of conditions of supervision).

The IJ moved directly from her review of the *Guerra* factors to a no-bond order without asking whether any monetary amount, reporting requirement, or ICE alternative-to-detention program could address her concerns.[2] Ex. 1 at 12–13; Ex. 2. In a hearing where the government bore the burden by clear and convincing evidence, that omission is dispositive: DHS never proved, and the IJ never found, that no condition of release could reasonably assure Mr. Mohamed's appearance.

III. Exhaustion Does Not Bar This Motion

In the immigration detention context, exhaustion of administrative remedies "is a prudential rather than jurisdictional requirement." *Singh*, 638 F.3d at 1203 n.3. Prudential exhaustion may be excused where "administrative remedies are inadequate or not efficacious, pursuit of administrative remedies would be a futile gesture, irreparable injury will result, or the administrative proceedings would be void." *Laing v. Ashcroft*, 370 F.3d 994, 1000 (9th Cir. 2004). And on a motion to enforce, "any alleged exhaustion requirement [] must fully contend with the Court's continuing authority to enforce its own injunction." *C.A.R.V. v. Wofford*, No. 1:25-CV-01395-JLT-SKO, 2026 WL 241823, at *4 (E.D. Cal. Jan. 29, 2026). Courts in this District have repeatedly excused exhaustion for the limited purpose of reviewing compliance with a prior bond-hearing order. *Safinejad*, ECF No. 15 at

[2]ICE operates the Intensive Supervision Appearance Program under its Alternatives to Detention program, which monitors noncitizens through GPS technology, telephonic check-ins, and in-person reporting. See https://www.ice.gov/features/atd.

5–6; *Bayani*, 2026 WL 1270059; *Perez Velasquez v. Bondi*, No. 26-CV-01759-GPC-DDL, 2026 WL 1042479, at *3–5 (S.D. Cal. Apr. 16, 2026).

Requiring a BIA bond appeal here would be futile and inadequate. The BIA has been "drastically reshaped within the past year," *Perez Velasquez*, 2026 WL 1042479, at *3 n.2, and "appears to have largely ceased functioning as a meaningful check on lower-level agency errors, instead upholding 97% of all immigration appeals in 2025, including bond determinations, a rate exceeding the 16-year historical average by at least 30 percentage points." *Tiboko-Tifuh v. Noem*, No. 26-CV-1215-JO-DEB, 2026 WL 1603795, at *3 (S.D. Cal. June 4, 2026). Nor could the BIA adjudicate Mr. Mohamed's core contention, which is constitutional: the Board lacks jurisdiction to decide the constitutionality of the procedures it administers. *Padilla-Padilla v. Gonzales*, 463 F.3d 972, 977 (9th Cir. 2006). And BIA bond appeals take months; processing averaged 204 days in 2024, *Rodriguez v. Bostock*, 779 F. Supp. 3d 1239, 1248 (W.D. Wash. 2025), while "each additional day Petitioner spends [detained] constitutes further irreparable injury of unconstitutional detention." *Tiboko-Tifuh*, 2026 WL 1603795, at *4. Mr. Mohamed has now been detained for more than nineteen months. His interest "in retaining prompt access to a federal judicial forum" outweighs any countervailing institutional interest in exhaustion. *McCarthy v. Madigan*, 503 U.S. 140, 146 (1992).

IV. The Court Should Order Mr. Mohamed's Immediate Release or, in the Alternative, a Compliant Bond Hearing Before a Different Immigration Judge

Federal courts have "a fair amount of flexibility" in fashioning habeas relief. *Perez Velasquez*, 2026 WL 1042479, at *7 (quoting *Burnett v. Lampert*, 432 F.3d 996, 999 (9th Cir. 2005)). Where the government fails to provide a hearing consistent with a prior order of the court, courts in this District and elsewhere have ordered release. *See Mau v. Chertoff*, 562 F. Supp. 2d 1107, 1119 (S.D. Cal. 2008) (ordering release where "the evidence before the IJ failed, as a matter of law, to prove flight risk or danger pursuant to the Court's order") ; *Judulang v. Chertoff*, 562 F. Supp. 2d 1119, 1126–27 (S.D. Cal. 2008); *Sales*, 2017 WL 6855827, at *7; *Moctezuma v. Henkey*, No. 1:25-CV-00741-BLW, 2026 WL 18809, at *5 (D. Idaho Jan. 2, 2026) (ordering immediate release rather than imposing additional delay through a second bond hearing). Respondents had the opportunity to afford Mr. Mohamed the process this Court ordered and failed to do so. On this record, in which DHS conceded he is no danger, conceded he has no intention of fleeing, and offered no evidence, release both remedies the violation and spares Mr. Mohamed a third round of detention litigation after nineteen months in custody.

If the Court instead orders a new hearing, Mr. Mohamed requests that it be held before a different immigration judge and subject to safeguards consistent with

the relief ordered in this District and elsewhere:[3] the IJ should be required to state on the record that the government bears the burden of proving flight risk or danger by clear and convincing evidence; to determine first whether the government's evidence, standing alone, satisfies that burden before weighing Mr. Mohamed's evidence, *Arredondo*, ECF No. 26 at *15–16; to consider whether a monetary bond or conditions of release would mitigate any risk the government proves; and, if bond is denied, to articulate orally or in writing what evidence presented by the government satisfied the clear and convincing standard. *See R.R.M.C.*, 2022 WL 4639674, at *5; *Safinejad*, ECF No. 15 at 9 (ordering second bond hearing "adhering to all Constitutional requirements as interpreted by this Circuit and this Court"); *Sanchez Mendez v. Casey*, No. 26-CV-3196 JLS (DEB), ECF No. 13 at 3 (S.D. Cal. Aug. 4, 2026) (ordering second bond hearing and status report on the outcome).

CONCLUSION

[3]Assignment to a different immigration judge is warranted both by the conduct of the June 12 hearing and by the mounting evidence, recognized by courts in this District, that immigration judges "in recent months failed to comply with habeas courts' orders to provide noncitizens with constitutionally adequate bond hearings." Mubanga v. Mullin, No. 26-CV-02565-JO-AHG, 2026 WL 1945743, at *2 n.3 (S.D. Cal. July 6, 2026) (collecting cases)]; see also Baltazar v. Janecka, No. 5:26-CV-00019-SSS-BFM, 2026 WL 413734, at *1–2 (C.D. Cal. Jan. 16, 2026); Benipal v. Rokosky, No. CV 26-01306 PHX RM (CDB), 2026 WL 1355010, at *12 (D. Ariz. Apr. 24, 2026), report and recommendation adopted, 2026 WL 1352061 (D. Ariz. May 14, 2026); ECF No. 13 (raising related concerns regarding the neutrality of bond adjudications for habeas petitioners).

For the foregoing reasons, Mr. Mohamed respectfully requests that this Court enforce its May 29, 2026 Order by directing his immediate release. In the alternative, Mr. Mohamed requests that the Court order a new bond hearing before a different immigration judge, conducted in compliance with this Court's Order and the safeguards described above, and direct Respondents to file a notice of compliance apprising the Court of the result within five days of the hearing.

Dated: August 29, 2026

Respectfully submitted,

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