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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

RENE CRUZ PENA, Petitioner, v. CHRISTOPHER J. LAROSE, *et al.*, Respondents.	Case No.: 3:26-cv-02706-BJC-MSB **RESPONSE TO PETITION**

Based upon the allegations set forth in the Petition (ECF 1), Petitioner appears to be a member of the Bond Eligible Class certified in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ---, 2025 WL 3288403 (C.D. Cal. Nov. 25, 2025), *amended and superseded on reconsideration by* 813 F.Supp.3d 1084 (C.D. Cal. 2025). The Ninth Circuit has stayed application of the *Maldonado Bautista* class certification except in the Central District of California. *See Maldonado Bautista v. U.S.*

Department of Homeland Security, No. 26-1044, Order, Docket Entry #17, (9th Cir. Mar. 31, 2026) (granting stay pending appeal of district court's December 18, 2025, class certification order insofar as it extends beyond Central District of California). However, Respondents acknowledge prior orders from this District directing bond hearings pursuant to 8 U.S.C. § 1226(a) in similar cases. *See, e.g., Salano v. Noem*, No. 26-cv-01278-BAS-DDL, 2026 WL 675564 (S.D. Cal. March 10, 2026) (noting March 6, 2026, [temporary stay pending hearing on motion for stay] of *Maldonado Bautista* outside of Central District of California but still applying rationale of the decision in granting a bond hearing under 1226(a)). Respondents therefore do not oppose an order from this Court directing a bond hearing be held pursuant to 8 U.S.C. § 1226(a).[1]

DATED: May 5, 2026

Respectfully submitted,

ADAM GORDON
United States Attorney

s/ Roger G. Wright
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[1] To the extent the Court issues an order directing a bond hearing under 1226(a), considering heavy caseloads and staffing levels, Respondents respectfully request that such order provide the government 14 days from issuance to hold such bond hearing.