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9 Attorneys for Respondents

10 UNITED STATES DISTRICT COURT
11
12 SOUTHERN DISTRICT OF CALIFORNIA

13 JAKELIN BORREGO MARQUEZ,

14 Petitioner,

15 v.

16 CHRISTOPHER J. LAROSE, *Warden,*
17 *Otay Mesa Detention Center, et al.,*

18 Respondents.
19
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Case No.: 26-cv-02761-RSH-GC

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

21
22 Respondents, by and through counsel, hereby respond to the Petition for Writ of
23 Habeas Corpus. Undersigned counsel is unable to ascertain sufficient facts at this time to
24 establish that there is a significant likelihood of removal in the reasonably foreseeable
25 future. *See Zadvydas v. Davis*, 533 U.S. 678 (2001). Respondents therefore acknowledge
26 that Petitioner is entitled to be released from custody subject to conditions of supervision.
27 *See* 8 U.S.C. § 1231(a)(3); 8 C.F.R. § 241.13(h)(1); *Ba v. Lyons*, No. 25-cv-2871-CAB-
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1 BJW, 2026 WL 218936, at *1 (S.D. Cal. Jan. 27, 2026) (“The habeas statute does not
2 empower courts to manage ICE supervision programs.”) (citing 28 U.S.C. § 2241(c)(3));
3 *Khachikian v. Casey*, No. 25-cv-3737-GPC-JLB, ECF No. 13 (S.D. Cal. Jan. 13, 2026)
4 (“Ultimately, ICE has discretion to impose conditions on release.”).

5 DATED: May 11, 2026

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