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6 Attorneys for Respondents

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

9 ZADY GBADGNI JEAN ROMAIN,

10 Petitioner,

11 v.

12 JEREMY CASEY, et al.,

13 Respondents.
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Case No.: 26-cv-2745 LL DDL

RESPONSE TO PETITION

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1 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. Petitioner is subject
2 to mandatory detention under 8 U.S.C. § 1225(b). *See Jennings v. Rodriguez*, 583 U.S.
3 281 (2018). However, the government acknowledges that courts in this District have
4 repeatedly inferred a constitutional right against prolonged mandatory detention.
5 Taking into consideration those prior rulings and the length of time Petitioner has been
6 in custody, the government concedes that this Court should order that Petitioner receive
7 a bond hearing, where the government would bear the burden of proof of establishing,
8 by clear and convincing evidence, that Petitioner poses a danger to the community or a
9 risk of flight. *See Sadeqi v. LaRose*, No. 25-cv-2587-RSH-BJW, 2025 WL 3154520
10 (S.D. Cal. Nov. 12, 2025); *Gao v. LaRose*, No. 25-cv-2084-RSH-SBC, 2025 WL
11 2770633 (S.D. Cal. Sept. 26, 2025).

12 DATED: May 18, 2026

Respectfully submitted,

13 ADAM GORDON
14 United States Attorney

15 *s/ Allie E. Malone*
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17 Assistant United States Attorney
18 Attorneys for Respondents
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