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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

11 JONATHAN ISAIC TOVAR-TOVAR,	Case No.: 26-cv-2861-BAS-DDL
12 13 Petitioner,	
14 v.	Traverse
15 TODD BLANCHE, et al.,	[Civil Immigration Habeas,
16 Respondents.	28 U.S.C. § 2241]

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18 Mr. Tovar-Tovar, a national of Venezuela, entered the United
19 States in 2023 through the CBP One App. *See* Exhibit A, Declaration of
20 Tovar-Tovar, at ¶¶ 1–2. He was given a credible fear interview and
21 then paroled into the country. *Id.* His asylum proceedings remain
22 pending. *Id.* In late April 2026, he was arrested by ICE agents and
23 detained at the Otay Mesa Regional Detention Center. *Id.* at ¶ 4.

24 In its Return, “the government does not oppose the petition and
25 defers to the Court on the appropriate relief.” ECF 9 at 3. The

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27 ¹ The Court referred this matter to the FDSDI for appointment of
28 counsel. ECF No. 5. FDSDI is willing and able to accept appointment
and thus files this traverse in support of the petition. The attached
affidavit addresses Mr. Tovar-Tovar’s financial eligibility.

1 government then deferred to the Court as to the appropriate remedy.

2 When an immigrant’s parole is unlawfully revoked, the remedy is
3 ***immediate release, not a bond hearing***. See, e.g., *Teran v. Casey*,
4 No. 26-CV-1205 JLS (DEB), 2026 WL 710576, at *3 (S.D. Cal. Mar. 13,
5 2026) (ordering immediate release on conditions of his preexisting
6 parole); *Arias v. Larose*, No. 3:25-CV-02595-BTM-MMP, 2025 WL
7 3295385, at *3 (S.D. Cal. Nov. 25, 2025) (“The Respondents shall
8 immediately release Arias from custody on her preexisting
9 conditions.”); *Noori v. LaRose*, 807 F. Supp. 3d 1146, 1154 (S.D. Cal.
10 2025) (“order[ing] his immediate release”); *Salazar v. Casey*, No. 25-cv-
11 2784 JLS-VET, 2025 WL 3063629 (S.D. Cal. Nov. 3, 2025) (ordering
12 that ICE “immediately release Petitioner from custody subject to the
13 conditions of her preexisting parole and Form I-94”); *Perez v. LaRose*,
14 No. 25-cv-02620-RBM-JLB, 2025 WL 3171742 (S.D. Cal. Nov. 13, 2025)
15 (ordering respondents “to immediately release Petitioner from custody,
16 subject to the conditions of his preexisting parole and Form I-94”); *Y-Z-
17 L-H v. Bostock*, No. 25-cv-965-SI, 2025 WL 1898025, at *13 (D. Or. July
18 9, 2025) (ordering respondents “immediately to release Petitioner from
19 custody”).

20 Thus, this Court should grant the petition and order Petitioner’s
21 immediate release.

22
23 Respectfully submitted,

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25 Dated: May 20, 2026

s/ Zandra Lopez

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