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10 **UNITED STATES DISTRICT COURT**
11 **SOUTHERN DISTRICT OF CALIFORNIA**

12 KAREN GHAZARYAN,

13 Petitioner,

14 v.

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

17 Respondents.
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Case No.: 26-cv-03048-RBM-JLB

RESPONSE TO PETITION

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1 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. The government has
2 carefully reviewed this petition and determined that the legal issues presented concern the
3 statutory authority for U.S. Immigration and Customs Enforcement's (ICE) detention of
4 Petitioner under 8 U.S.C. §§ 1225(b)(2)(A) or 1226(a). While reserving all rights, including
5 the right to appeal, the government respectfully submits this abbreviated response to
6 preserve the legal issues, to conserve judicial and party resources, and to expedite the
7 Court's consideration of this matter.

8 Respondents contend, and Petitioner admits (*see* ECF No. 4 at 3), that Petitioner was
9 previously released from immigration custody on parole issued under 8 U.S.C.
10 § 1182(d)(5). Respondents have insufficient information regarding termination of that
11 parole, pursuant to 8 C.F.R. § 212.5(e)(2), to provide to the Court. It is the government's
12 position that Petitioner is subject to mandatory detention under § 1225(b)(2). However, the
13 government acknowledges that this Court, and Courts in this District, have repeatedly
14 reached the opposite conclusion under the same and/or similar facts. *See, e.g., Arias Torres*
15 *v. Bondi*, No. 25-cv-2457-BAS-MSB, 2025 WL 3214773 (S.D. Cal. Nov. 18, 2025);
16 *Martinez Lopez v. LaRose*, No. 25-cv-2717-JES-AHG, 2025 WL 3030457 (S.D. Cal. Oct.
17 30, 2025); *Beltran v. Noem*, No. 25cv2650-LL-DEB, 2025 WL 3078837 (S.D. Cal. Nov.
18 4, 2025); *Garcia v. Noem*, 803 F. Supp. 3d 1064 (S.D. Cal. 2025); *Esquivel-Ipina v.*
19 *LaRose*, No. 25-CV-2672 JLS (BLM), 2025 WL 2998361 (S.D. Cal. Oct. 24, 2025); *Lucas-*
20 *Miguel v. LaRose*, No. 25-cv-3022-RSH-JLB, 2025 WL 3251580 (S.D. Cal. Nov. 21,
21 2025); *Vasquez-Diaz v. LaRose*, No. 25-cv-3038-TWR-JLB, ECF No. 6 (S.D. Cal. Nov.
22 13, 2025); *Cardoso v. LaRose*, No. 25-cv-3043-BJC-VET, ECF No. 7 (S.D. Cal. Dec. 12,
23 2025); *Maceda-Garcia v. Noem*, No. 25-cv-2968-JO-JLB, ECF No. 9 (S.D. Cal. Nov. 13,
24 2025); *A.S. v. LaRose*, No. 25-cv-2876-RBM-VET, ECF No. 9 (S.D. Cal. Nov. 19, 2025);
25 *Prieto-Cordova v. LaRose*, No. 25-cv-2824-CAB-DDL, 2025 WL 3228953 (S.D. Cal.
26 Nov. 19, 2025); *Lagarda-Vega v. Noem*, No. 25-cv-2970-GPC-DDL, 2025 WL 3558931
27 (S.D. Cal. Dec. 11, 2025); *Nayyer v. LaRose*, No. 25-cv-3111-AGS-DDL, ECF No. 7 (S.D.

1 Cal. Dec. 12, 2025); *Amaya v. Noem*, No. 25cv2892-BTM-DEB, 2025 WL 3182998 (S.D.
2 Cal. Nov. 13, 2025).

3 The government acknowledges that this Court's prior decisions will control the
4 result here if the Court adheres to its prior decisions, as the facts are not materially
5 distinguishable for purposes of the Court's decision, and on that basis the government does
6 not oppose the petition and defers to the Court on the appropriate relief.¹

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8 DATED: May 22, 2026

ADAM GORDON
United States Attorney

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s/ Camille Savedra

CAMILLE SAVEDRA
Assistant United States Attorney

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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.