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

10
11 SERGEI M SILAKOV,

12 Petitioner,

13 v.

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

16 Respondents.
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Case No.: 26-cv-03092-CAB-MSB

RESPONSE TO PETITION

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20 This is Petitioner's second habeas petition this year. On April 10, 2026, Petitioner,
21 proceeding *pro se*, filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241,
22 challenging the legality of his Immigration and Customs Enforcement (ICE) detention. *See*
23 *Silakov v. LaRose*, No. 3:26-cv-02301-CAB-VET, ECF No. 1. On April 24, 2026,
24 Respondent filed a response to that petition. *See id.*, ECF No. 04. On May 22, 2026, this
25 Court referred Petitioner for consideration of appointment of counsel through the Federal
26 Defenders of San Diego, Inc., which may, in turn, necessitate supplemental briefing by the
27 parties. *See id.*, ECF No. 07. Petitioner's first petition is therefore still pending before this
28 Court.

1 On May 5, 2026, Petitioner's filed the instant habeas petition in the Western District
2 of Washington, which was subsequently transferred to this Court. See ECF Nos. 1 through
3 4. Respondents have reviewed the instant petition and found it is substantially duplicative
4 of Petitioner's first petition. See ECF No. 1. For instance, Petitioner is generally seeking the
5 same relief; that is, his immediate release from Respondents' custody. See *id.* at 7.
6 Respondents therefore respectfully request the Court dismiss the instant habeas petition as
7 duplicative.

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9 DATED: May 26, 2026

ADAM GORDON
United States Attorney

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11 *s/ Camille Savedra*
12 CAMILLE SAVEDRA
13 Assistant United States Attorney
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