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

11 SAMIR IBRAHIMOV,

12  
13 Petitioner,

14 v.

15 CHRISTOPHER LAROSE, Senior  
16 Warden, Otay Mesa Detention Center,

17 Respondent.  
18  
19

Case No.: 26-cv-3105-BAS-BJW

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

20 Respondent respectfully submits this response to Petitioner's fourth habeas  
21 petition filed with the Court. Respondent contends Petitioner is subject to mandatory  
22 detention under 8 U.S.C. § 1225(b)(2) until his removal proceedings have concluded.  
23 *See Jennings v. Rodriguez*, 583 U.S. 281, 297 (2018) ("Once those proceedings end,  
24 detention under § 1225(b) must end as well."). Here, Petitioner's merits hearing  
25 concluded on June 1, 2026, in which the immigration judge granted withholding of  
26 Petitioner's removal to Azerbaijan under the Convention Against Torture Act. *See*  
27 Exhibit 1 (Order of the Immigration Judge). However, both Petitioner and the  
28 government reserved appeal to the Board of Immigration Appeals (BIA) and have until

1 July 1, 2026 to perfect an appeal. *See id.* As a result, there is no administratively final  
2 order of removal at this time. Petitioner remains mandatorily detained under 8 U.S.C. §  
3 1225(b)(2)(A).

4 Nonetheless, the government acknowledges that courts in this District have  
5 repeatedly inferred a constitutional right against prolonged mandatory detention. To  
6 date, Petitioner has been detained 12 months. Taking into consideration those prior  
7 rulings and the length of time Petitioner has been in custody, the government does not  
8 oppose this Court ordering that Petitioner receive an individualized bond hearing before  
9 an immigration judge. *See Sadeqi v. LaRose*, No. 25-cv-2587-RSH-BJW, 2025 WL  
10 3154520 (S.D. Cal. Nov. 12, 2025); *Gao v. LaRose*, No. 25-cv-2084-RSH-SBC, 2025  
11 WL 2770633 (S.D. Cal. Sept. 26, 2025).

12  
13 DATED: June 3, 2026

ADAM GORDON  
United States Attorney

14  
15 *s/ Camille Savedra*  
CAMILLE SAVEDRA  
Assistant United States Attorney