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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 ADAN SAUL GARCIA,

12 Petitioner,
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14 v.

15 MARKWAYNE MULLIN, Secretary of the
16 Department of Homeland Security, *et al.*,

17 Respondents.
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Case No. 26-cv-03373-TWR-MMP

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

1 Petitioner appears to be a member of the Bond Eligible Class certified in *Maldonado*
2 *Bautista v. Santacruz*, 813 F. Supp. 3d 1084 (C.D. Cal. 2025). The Ninth Circuit has stayed
3 application of the Order beyond the Central District of California. However, Respondents
4 acknowledge the prior orders from this District directing bond hearings pursuant to 8
5 U.S.C. § 1226(a) in similar cases.¹ Respondents therefore do not oppose an order from this
6 Court directing a bond hearing be held pursuant to 8 U.S.C. § 1226(a).²

7 DATED: June 8, 2026

ADAM GORDON

8 United States Attorney

9 s/ Hunter Norton

10 HUNTER V. NORTON

11 Assistant United States Attorney
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23 ¹ To the extent the Court issues an order directing a bond hearing under 1226(a),
24 considering heavy caseloads and staffing levels, Respondents respectfully request that such
order provide the government 14 days from issuance to hold such bond hearing.

25 ² The Ninth Circuit has confirmed that at a bond hearing under 8 U.S.C. § 1226(a), the
26 burden is on the detainee to demonstrate by a preponderance of the evidence that he is
27 not a flight risk or danger to the community. *See Rodriguez Diaz v. Garland*, 53 F.4th
28 1189, 1197 (9th Cir. 2022); *see also Dos Santos v. Becerra*, No. 26-cv-01423-GPC-VET,
2026 WL 800201 (S.D. Cal. Mar. 23, 2026).