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9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA

11 ROSAIDI CARMELINA VASQUEZ BATEN,

12 Petitioner,

13 v.

14 WARDEN, OTAY MESA DETENTION
15 CENTER, et al.,

16 Respondents.
17

Case No. 3:26-cv-03386-BAS-GC

**PETITIONER'S REPLY TO RETURN
TO PETITION**

18 Petitioner Rosaidi Carmelina Vasquez Baten, through counsel, respectfully submits this
19 Reply to Respondents' Return.

20 Petitioner appreciates Respondents' representation that they do not oppose an order
21 directing a bond hearing pursuant to 8 U.S.C. § 1226(a). Accordingly, the principal issue raised in
22 the Petition appears resolved.

23 The only remaining issue concerns timing. Petitioner has remained in immigration
24 detention since April 26, 2026. Respondents request fourteen (14) days to conduct the bond
25 hearing, citing generalized staffing and caseload concerns. Petitioner respectfully submits that no
26 case-specific reason has been identified that would justify additional delay. Petitioner therefore
27 requests that the Court grant the Petition and direct Respondents to provide a bond hearing within
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1 seven (7) days of the Court's order, as requested in the Petition.

2 Petitioner further notes that Respondents reference the burden of proof applicable at any
3 future bond hearing. Because the Petition seeks a determination that Petitioner is entitled to a
4 bond hearing under 8 U.S.C. § 1226(a), Petitioner respectfully submits that the burden-of-proof
5 issue is not presently before the Court and need not be resolved to grant the requested relief.
6 Petitioner expressly reserves all arguments concerning the constitutional and statutory
7 requirements governing any future bond hearing.

8 WHEREFORE, Petitioner respectfully requests that the Court grant the Petition and order
9 Respondents to provide a bond hearing pursuant to 8 U.S.C. § 1226(a) within seven (7) days of
10 the Court's order, together with such further relief as the Court deems just and proper.

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12 Dated: June, 2026.

Respectfully submitted,

13 /s/ Roger H. Ponce
14 ROGER H. PONCE
15 Attorney for Petitioner
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