

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

RUBEN GABRIEL PEREZ LOPEZ,

Petitioner,

v.

Case No. 3:26-cv-3387-BJC-VET

FIELD OFFICE DIRECTOR, et al.,

Respondents.

PETITIONER'S TRAVERSE TO RESPONDENTS' RETURN

Petitioner, Ruben Gabriel Perez Lopez, by and through undersigned counsel, respectfully submits this Traverse in response to Respondents' Return (ECF No. 4).

Respondents identify no lawful basis for Petitioner's continued detention. Rather than defend the legality of Petitioner's detention under 8 U.S.C. § 1225(b)(2), Respondents expressly acknowledge that this Court has repeatedly rejected the government's interpretation of the Immigration and Nationality Act under materially indistinguishable facts and further state that they "do not oppose the petition." ECF No. 4 at 2–3. Having conceded that this Court's precedent controls the outcome, Respondents offer no legal or factual basis demonstrating that Petitioner's continued detention is lawful.

Instead, Respondents request that the Court permit Petitioner's detention to continue for an additional fourteen days based solely on generalized references to heavy caseloads and staffing levels. ECF No. 4 at 3. Administrative convenience, however, cannot justify the continued deprivation of Petitioner's liberty. Significantly, Respondents do not contend that Petitioner presents a danger to the community or a flight risk, nor do they identify any individualized circumstance warranting his continued detention. Thus, Respondents have failed to demonstrate

good cause for prolonging Petitioner's detention after conceding that the Petition should be granted.

Accordingly, because Respondents have failed to identify any lawful basis for Petitioner's continued detention, Petitioner respectfully requests that the Court order his **immediate release**. In the alternative, should the Court determine that immediate release is not warranted, Petitioner respectfully requests that the Court issue a writ directing Respondents to provide him with an individualized bond hearing pursuant to 8 U.S.C. § 1226(a) **within seven (7) days**. Respondents have identified no legal or factual basis to justify delaying that relief for an additional fourteen days.

DATED this 30th of June 2026.

Respectfully Submitted,

/s/ Roger H. Ponce
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