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8 UNITED STATES DISTRICT COURT
9
10 SOUTHERN DISTRICT OF CALIFORNIA

11 NORBELI RUBIRAL DE GONZALEZ-
12 MORALES,

13 Petitioner,

14 v.

15 WARDEN, Imperial Detention Center; *et*
16 *al.*

17 Respondents.
18
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Case No.: 26-cv-03475-RBM-AHG

RESPONSE TO PETITION

20 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. The government has
21 carefully reviewed this petition and determined that the legal issues presented concern the
22 statutory authority for U.S. Immigration and Customs Enforcement's (ICE) detention of
23 Petitioner under 8 U.S.C. §§ 1225(b)(2)(A) or 1226(a). While reserving all rights, including
24 the right to appeal, the government respectfully submits this abbreviated response to
25 preserve the legal issues, to conserve judicial and party resources, and to expedite the
26 Court's consideration of this matter.

27 It is the government's position that Petitioner is subject to mandatory detention under
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1 § 1225(b)(2). However, the government acknowledges that Petitioner appears to be a
2 member of the Bond Eligible Class certified in *Maldonado Bautista v. Santacruz*, 813 F.
3 Supp. 3d 1084 (C.D. Cal. 2025). The Ninth Circuit has stayed application of the Order
4 beyond the Central District of California. However, Respondents acknowledge the prior
5 orders from this District directing bond hearings pursuant to 8 U.S.C. § 1226(a) in similar
6 cases. Respondents therefore do not oppose an order from this Court directing a bond
7 hearing be held pursuant to 8 U.S.C. § 1226(a).¹

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9 DATED: July 16, 2026

ADAM GORDON
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11 s/ Camille Savedra
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23 ¹ To the extent the Court issues an order directing a bond hearing under 1226(a), considering
24 heavy caseloads and staffing levels, Respondents respectfully request that such order
25 provide the government 14 days from issuance to hold such bond hearing. The Ninth Circuit
26 has confirmed that at a bond hearing under 8 U.S.C. § 1226(a), the burden is on the detainee
27 to demonstrate by a preponderance of the evidence that he is not a flight risk or danger to
28 the community. *See Rodriguez Diaz v. Garland*, 53 F.4th 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).