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

11 MILTON CAMACHO-PEREZ,
12
13 Petitioner,
14 v.
15 MARKWAYNE MULLIN, *et al.*,
16 Respondents.
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Case No.: 26-cv-03691-JLS-DDL
RESPONSE TO PETITION

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20 On July 23, 2026, Petitioner filed a habeas petition under 28 U.S.C. § 2241. ECF
21 No. 1. Petitioner seeks release based on the contention that upon re-detention, ICE failed
22 to provided Petitioner with the Notice of Revocation of Release and Informal Interview
23 required under the Regulations. *See* 8 C.F.R. § 214.4(*I*). However, Respondents did in
24 fact provide Petitioner with the required Notice of Revocation of Release and Informal
25 Interview. *See* Exhibit 1 (Notice of Revocation of Release and Informal Interview).
26 Accordingly, the petition fails to state a sufficient habeas claim, and the petition should
27 be denied.

28 The Supreme Court has held that “[h]abeas Corpus Rule 2(c) is more demanding

1 [than Federal Rule of Civil Procedure 8(a)]. It provides that the petition must ‘specify
2 all the grounds for relief available to the petitioner’ and ‘state the facts supporting each
3 ground.’” *Mayle v. Felix*, 545 U.S. 644, 655 (2005) (citing Rules Governing Section
4 2254 Cases in the United States District Court (“Federal Habeas Rules”); *see also James*
5 *v. Borg*, 24 F.3d 20, 26 (9th Cir. 1994) (“Conclusory allegations which are not supported
6 by a statement of specific facts do not warrant habeas relief.”). As stated by the
7 Advisory Committee’s Note on Habeas Corpus Rule 4, 28 U.S.C., p. 471, “notice
8 pleading is not sufficient, for the petition is expected to state facts that point to a real
9 possibility of constitutional error.”) (internal quotation marks omitted).

10 A noncitizen who is not removed within the statutory removal period may be
11 released from ICE custody “pending removal . . . subject to supervision under
12 regulations prescribed by the Attorney General.” 8 U.S.C. §§ 1231(a)(1)(A),
13 1231(a)(3); *see also* 8 U.S.C. § 1231(a)(6). An order of supervision may be issued under
14 8 C.F.R. § 241.4, and the order may be revoked under 8 C.F.R. § 241.4(l)(2) where, for
15 example, the noncitizen “violates any condition of release” or where “appropriate to
16 enforce a removal order.” *See also* 8 C.F.R. § 241.5 (conditions of release after removal
17 period). ICE may also revoke the order of supervision where, “on account of changed
18 circumstances, [ICE] determines that there is a significant likelihood that the alien may
19 be removed in the reasonably foreseeable future.” 8 C.F.R. § 241.13(i)(2). The
20 regulations further provide:

21 Upon revocation, the alien will be notified of the reasons for revocation of
22 his or her release or parole. The alien will be afforded an initial informal
23 interview promptly after his or her return to Service custody to afford the
24 alien an opportunity to respond to the reasons for revocation stated in the
notification.

25 8 C.F.R. § 214.4(l).

26 Here, the entire petition is premised on Petitioner’s assertion that ICE failed to
27 provide Petitioner with the Notice of Revocation of Release and Informal Interview.
28 ECF No. 1 at 3. The claim is unavailing, as Respondent’s did in fact was provide

1 Petitioner with the Notice of Revocation of Release and Informal Interview. *See* Exhibit
2 1.

3 Accordingly, as Petitioner was provided with the Notice of Revocation of Release
4 and Informal Interview, the petition fails to state a claim and Respondents respectfully
5 request the Court deny the petition.

6 DATED: July 24, 2026

Respectfully submitted,

7 ADAM GORDON
8 United States Attorney

9 *s/ Antonio Estrada*
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11 Special Assistant United States Attorney
12 Attorney for Respondents
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