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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA

10 MARTHA ISABEL CAMACHO RAMIREZ, Case No.: 26-cv-03689-CAB-MSB
11 Petitioner, RESPONSE TO PETITION

12 v.

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

24 Petitioner was previously released from immigration custody on parole issued under
25 8 U.S.C. § 1182(d)(5). Respondents have insufficient information regarding termination of
26 that parole, pursuant to 8 C.F.R. § 212.5(e)(2), to provide to the Court. It is the
27 government's position that Petitioner is subject to mandatory detention under § 1225(b)(2).
28 However, the government acknowledges that this Court, and Courts in this District, have

repeatedly reached the opposite conclusion under the same and/or similar facts. *See, e.g., Arias Torres v. Bondi*, No. 25-cv-2457-BAS-MSB, 2025 WL 3214773 (S.D. Cal. Nov. 18, 2025); *Martinez Lopez v. LaRose*, No. 25-cv-2717-JES-AHG, 2025 WL 3030457 (S.D. Cal. Oct. 30, 2025); *Beltran v. Noem*, No. 25cv2650-LL-DEB, 2025 WL 3078837 (S.D. Cal. Nov. 4, 2025); *Garcia v. Noem*, 803 F. Supp. 3d 1064 (S.D. Cal. 2025); *Esquivel-Ipina v. LaRose*, No. 25-CV-2672 JLS (BLM), 2025 WL 2998361 (S.D. Cal. Oct. 24, 2025); *Lucas-Miguel v. LaRose*, No. 25-cv-3022-RSH-JLB, 2025 WL 3251580 (S.D. Cal. Nov. 21, 2025); *Vasquez-Diaz v. LaRose*, No. 25-cv-3038-TWR-JLB, ECF No. 6 (S.D. Cal. Nov. 13, 2025); *Cardoso v. LaRose*, No. 25-cv-3043-BJC-VET, ECF No. 7 (S.D. Cal. Dec. 12, 2025); *Maceda-Garcia v. Noem*, No. 25-cv-2968-JO-JLB, ECF No. 9 (S.D. Cal. Nov. 13, 2025); *A.S. v. LaRose*, No. 25-cv-2876-RBM-VET, ECF No. 9 (S.D. Cal. Nov. 19, 2025); *Prieto-Cordova v. LaRose*, No. 25-cv-2824-CAB-DDL, 2025 WL 3228953 (S.D. Cal. Nov. 19, 2025); *Lagarda-Vega v. Noem*, No. 25-cv-2970-GPC-DDL, 2025 WL 3558931 (S.D. Cal. Dec. 11, 2025); *Nayyer v. LaRose*, No. 25-cv-3111-AGS-DDL, ECF No. 7 (S.D. Cal. Dec. 12, 2025); *Amaya v. Noem*, No. 25cv2892-BTM-DEB, 2025 WL 3182998 (S.D. Cal. Nov. 13, 2025).

The government acknowledges that this Court's prior decisions will control the result here if the Court adheres to its prior decisions, as the facts are not materially distinguishable for purposes of the Court's decision,¹ and on that basis the government does not oppose the petition and defers to the Court on the appropriate relief.²

¹ Petitioner also challenges her detention citing violations of the Administrative Procedure Act and Due Process. Should the Court grant the petition, it should decline to address these additional arguments. *INS v. Bagamasbad*, 429 U.S. 24, 25 (1976) ("As a general rule courts and agencies are not required to make findings on issues the decision of which is unnecessary to the results they reach.").

² To the extent the Court issues an order directing a bond hearing under 1226(a), considering heavy caseloads and staffing levels, Respondents respectfully request that such order provide the government 14 days from issuance to hold such bond hearing. Respondents also respectfully note that the Ninth Circuit has confirmed that at a bond hearing under 8 U.S.C. § 1226(a), the burden is on the detainee to demonstrate by a

1 DATED: July 15, 2026

Respectfully submitted,

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26 _____
27 preponderance of the evidence that he is not a flight risk or danger to the community. *See*
28 *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).