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9 UNITED STATES DISTRICT COURT
10 SOUTHERN DISTRICT OF CALIFORNIA
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12 JESUS JULIAN RIVERA-GONZALEZ,

13 Petitioner,

14 v.

15 MARKWAYNE MULLIN, et al.,

16 Respondents.
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Case No.: 26-cv-03814-CAB-BJW

**RETURN TO PETITION FOR
WRIT OF HABEAS CORPUS**

18
19 Respondents, by and through counsel, hereby respond to the Petition for Writ of
20 Habeas Corpus. Petitioner is subject to a final order of removal and detained under 8
21 U.S.C. § 1231(a). Undersigned counsel is unable to ascertain sufficient facts at this time
22 to establish that there is a significant likelihood of removal in the reasonably foreseeable
23 future. *See Zadvydas v. Davis*, 533 U.S. 678 (2001). The government therefore
24 acknowledge that Petitioner is entitled to be released from custody subject to conditions
25 of supervision. *See* 8 U.S.C. § 1231(a)(3); 8 C.F.R. § 241.13(h)(1); *Ba v. Lyons*, No. 25-
26 cv-2871-CAB-BJW, 2026 WL 218936, at *1 (S.D. Cal. Jan. 27, 2026) (“The habeas
27 statute does not empower courts to manage ICE supervision programs.”) (citing 28 U.S.C.
28

1 § 2241(c)(3)); *Khachikian v. Casey*, No. 25-cv-3737-GPC-JLB, ECF No. 13 (S.D. Cal.
2 Jan. 13, 2026) (“Ultimately, ICE has discretion to impose conditions on release.”).

3 DATED: July 8, 2026

Respectfully submitted,

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5 ADAM GORDON
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7 *s/ Jacob T. Metzger*
8 JACOB T. METZGER
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9 Attorney for Respondents