

1 ADAM GORDON
United States Attorney
2 HUNTER V. NORTON
Assistant U.S. Attorney
3 Washington, D.C. Bar No. 1780736
Office of the U.S. Attorney
4 880 Front Street, Room 6293
San Diego, CA 92101-8893
5 Telephone: (619) 546-8592
Email: Hunter.Norton2@usdoj.gov

6 Attorneys for Respondent
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8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
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11 JOSE ARMANDO-GARCIA,

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13 Petitioner,

14 v.

15 MARKWAYNE MULLIN, Secretary of
16 the Department of Homeland Security; *et*
17 *al.*,

18 Respondents.
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Case No. 26-cv-03821-AGS-SBC

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

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

7 A bond hearing is not only the appropriate remedy statutorily, but the more prudent
 8 remedy given Petitioner's prior criminal history and known gang-affiliation. *See* Exhibit 1
 9 (Form I-213); Exhibit 2 (2022 Arrest Report); Exhibit 3 (RAP Sheet). Specifically,
 10 Petitioner was convicted on March 7, 2024, for carrying a loaded and unregistered firearm
 11 in violation of Cal. Pen. Code § 25850(C)(6) and sentenced to 345 days' custody (later
 12 modified) and 24 months' probation. Exhibit 3 at 2-3. Notably, the Glock 19 style 9mm
 13 firearm involved in the offense had no serial number and had been modified with a "Glock-
 14 switch" enabling a fully-automatic rate-of-fire. *See* Exhibit 2 at 9.

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 16 DATED: July 9, 2026

ADAM GORDON

United States Attorney

18 s/ Hunter Norton

HUNTER V. NORTON

Assistant United States Attorney

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 23 ¹ To the extent the Court issues an order directing a bond hearing under 1226(a),
 24 considering heavy caseloads and staffing levels, Respondents respectfully request that such
 order provide the government 14 days from issuance to hold such bond hearing.

25 ² The Ninth Circuit has confirmed that at a bond hearing under 8 U.S.C. § 1226(a), the
 26 burden is on the detainee to demonstrate by a preponderance of the evidence that he is
 27 not a flight risk or danger to the community. *See Rodriguez Diaz v. Garland*, 53 F.4th
 28 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).