

FILED

AUG 10 2026

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY 
DEPUTY CLERK

Daniel Diaz Lopez


425 Golden State Avenue
Bakersfield, CA. 93301

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

Daniel Diaz Lopez,
Petitioner,

v.

Warden of Mesa Verde ICE
Detention Center, et. al.,
Respondents.

Case No. 1:26-CV-05061-JLT-FJS

TRAVERSE

INTRODUCTION

Petitioner denies the reasoning presented in the Respondents' Opposition to the Habeas Corpus petition, referenced above. He is neither an arriving alien, nor required to request a "Joseph hearing", nor is he subject to mandatory detention.

This Country has been Petitioner's home for 31 years and all of his immediate family are U.S. Citizens, including his five children and three siblings. He has lived here ever since he was brought to this Country at the age of 10.

Respondents are wrong about Petitioner failing to challenge his detention at immigration Court proceedings. Petitioner has requested a bond hearing before and was told by the Court that he would not be given one. He has tried to have his detention redetermined without success.

Respondents also err in stating that Petitioner's detention serves to protect the public and mitigate a flight risk, without evidence. Allowing Petitioner the opportunity for a bond hearing would be the appropriate venue to establish whether he is or is not a danger to the community or a risk of flight. Here, Respondents make baseless determinations on this issue.

Petitioner is not subject to mandatory detention. His next immigration Court hearing will be held around the 8 month mark of his detention and his immigration proceedings are far from over. Especially given the fact that any appeal of the immigration Court's decision will take his detention into more unreasonable lengths, extending it over a year.

CONCLUSION

By not allowing Petitioner a chance to have his detention redetermined through a bond

hearing) Respondents are clearly violating the Due Process clause of the U.S. Constitution.

This Court should order that Petitioner be immediately released, if Respondents do not provide him with a bond hearing before a neutral decisionmaker where the Government bears the burden of establishing risk of flight or dangerousness.

Dated: July 29, 2026

Respectfully Submitted,

Daniel Diaz Lopez

Daniel Diaz Lopez, Pro Se.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

Daniel Diaz Lopez
Plaintiff/Petitioner

v.

Case Number:

Warden of Mesa Verde ICE
Defendant/Respondent(s)

1:26-CV-05061-JLT-FJS

PROOF OF SERVICE

Detention Center, et al.

I hereby certify that on July 29, 2026, I served a copy
of the attached Praversono

by placing a copy in a postage paid envelope addressed to the person(s) hereinafter

listed, by depositing said envelope in the United States Mail at

Mesa Verde ICE Processing Center: 425 Golden State Avenue
Bakersfield, CA 93301

(List Name and Address of each Defendant or Attorney Served)

U.S. Department of Justice
United States Attorney's Office
Eastern District of California
501 I Street, Suite 110-600
Sacramento, CA 95814-2322

I declare under penalty of perjury that the foregoing is true and correct.

Daniel Diaz Lopez
(Signature of Person Completing Service)