

1 ERIC GRANT
United States Attorney
2 SEAN DAVIS
Special Assistant United States Attorney
3 501 I Street, Suite 10-100
Sacramento, CA 95814
4 Telephone: (916) 554-2700
5 Attorneys for Respondents

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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 ASKAT ZHARMATOV,

12 Petitioner,

13 v.

14 TONYA ANDREWS, *et al.*,

15 Respondents.

No. 1:26-CV-05240-TLN-AC

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

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17 This case is in the category of immigration habeas cases for which the Court has typically
18 ordered immediate release. Respondents request to submit on this pleading alone without additional
19 documentation or briefing and request that the Court rule on the Petition in its entirety.

20 Respondents' position is that Petitioner entered the United States illegally. Petitioner is thus an
21 "applicant for admission" who is subject to mandatory immigration detention under 8 U.S.C. § 1225(b).
22 *Joaquin Herrera Avila v. Bondi*, No. 25-3741 (8th Cir. March 25, 2026); *Buenrostro-Mendez v. Bondi*,
23 No. 25-20496, 2026 WL 323330, at *1 (5th Cir. Feb. 6, 2026); *see also Cortes Alonzo v. Noem*, 1:25-cv-
24 01519-WBS-SCR at Dkt. 14 (E.D. Cal. Nov. 17, 2025). Petitioner does not possess a right to freedom
25 from immigration detention in any form other than the form provided by Congress. *Shaughnessy v.*
26 *United States ex rel. Mezei*, 345 U.S. 206, 212 (1953), *reaffirmed in DHS v. Thuraissigiam*, 591 U.S.
27 103, 139 (2020).
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2 Dated: July 16, 2026

Respectfully submitted,

3 ERIC GRANT
4 United States Attorney

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6 By: /s/ Sean Davis
7 SEAN DAVIS
8 Special Assistant United States Attorney
9 Attorneys for Respondents
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