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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 THI MY CHAU TRAN,
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13 Petitioner,

14 v.

15 WARDEN, *ET AL.*,

16 Respondents.
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No. 1:26-CV-5273-DAD-CKD

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

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

4 Respondents' position is that Petitioner entered the United States illegally. Petitioner is thus an
5 "applicant for admission" who is subject to mandatory immigration detention under 8 U.S.C. § 1225(b).
6 *Joaquin Herrera Avila v. Bondi*, No. 25-3741 (8th Cir. March 25, 2026); *Buenrostro-Mendez v. Bondi*,
7 No. 25-20496, 2026 WL 323330, at *1 (5th Cir. Feb. 6, 2026); *see also Cortes Alonzo v. Noem*, 1:25-cv-
8 01519-WBS-SCR at Dkt. 14 (E.D. Cal. Nov. 17, 2025). Petitioner does not possess a right to freedom
9 from immigration detention in any form other than the form provided by Congress. *Shaughnessy v.*
10 *United States ex rel. Mezei*, 345 U.S. 206, 212 (1953), *reaffirmed in DHS v. Thuraissigiam*, 591 U.S.
11 103, 139 (2020).

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13 Dated: July 16, 2026

Respectfully submitted,

ERIC GRANT
United States Attorney

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