

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

6
7
8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 KENOL MAYANT,
12 

13 Petitioner,

14 v.

15 WARDEN, NORTH FLORIDA DETENTION
FACILITY *et al*,

16 Respondents.
17

No. 1:26-CV-05293-TLN-SCR

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

18 This case is in the category of immigration habeas cases for which the Court has typically
19 ordered a bond hearing to determine Petitioner's suitability for release from detention pending a final
20 order of removal. Petitioner is in pre-order detention, has criminal history, and was re-detained after an
21 arrest by local law enforcement. Ex. 1 (I-213); Ex. 2 (RAP sheet). Petitioner has been ordered removed
22 and that decision is on appeal to the Board of Immigration Appeals. Ex. 3.

23 Should the Court find that the detention authority is 8 U.S.C. § 1226, Respondents do not offer
24 any opposition at this time to the Court ordering a bond hearing. Respondents would request a 14-day
25 period in which to set the ordered bond hearing.

26 Respondents preserve their position is that Petitioner is subject to the mandatory pre-order
27 detention statute, 8 U.S.C. § 1225(b). Petitioner entered the United States illegally is thus an "applicant
28

1 for admission” who is subject to mandatory detention. *Joaquin Herrera Avila v. Bondi*, No. 25-3741
2 (8th Cir. March 25, 2026); *Buenrostro-Mendez v. Bondi*, No. 25-20496, 2026 WL 323330, at *1 (5th
3 Cir. Feb. 6, 2026); *see also Cortes Alonzo v. Noem*, 1:25-cv-01519-WBS-SCR at Dkt. 14 (E.D. Cal.
4 Nov. 17, 2025). Petitioner does not possess a right to freedom from immigration detention in any form
5 other than the form provided by Congress. *Shaughnessy v. United States ex rel. Mezei*, 345 U.S. 206,
6 212 (1953), *reaffirmed in DHS v. Thuraissigiam*, 591 U.S. 103, 139 (2020).

7 Respondents request to submit on this pleading without additional documentation beyond the
8 attachments provided and request that the Court rule on the Petition in its entirety.

9 Dated: July 20, 2026

Respectfully submitted,

ERIC GRANT
United States Attorney

10
11
12 By: /s/ Shelley D. Weger
13 SHELLEY D. WEGER
14 Assistant United States Attorney
15 Attorneys for Respondents
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

The undersigned hereby certifies that she is an employee in the Office of the United States Attorney for the Eastern District of California and is a person of such age and discretion to be competent to serve papers. She also certifies that on July 20, 2026, a copy of the OPPOSITION was served by placing said copy in a postpaid envelope addressed to the person(s) hereinafter named, at the place(s) and address(es) stated below, which is/are the last known address(es), and by depositing said envelope and contents in the United States Mail at Sacramento, California.

Addressee: **Kenol Mayant**


California City Immigration Processing Center
22844 Virginia Boulevard
California City, CA 93505

/s/ Shelley D. Weger
SHELLEY D. WEGER