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8 IN THE UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
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11 MATEO LANDA ZARAGOZA and
12 DAVID HUITIL CRUZ,

13 Petitioners,

14 v.

15 CHRISTOPHER CHESTNUT, *et al.*,

16 Respondents.

No. 1:26-CV-5294 EJD

**OPPOSITION TO PETITION FOR HABEAS
CORPUS AND MOTION FOR INJUNCTIVE
RELIEF**

17 **BACKGROUND**
18

19 Petitioners filed a Petition for Writ of Habeas Corpus (the “Habeas Petition”) and Motion for a
20 Temporary Restraining Order (TRO Motion). ECF 1, 4. On July 9, 2026, the Court ordered
21 Respondents to file a Response to the TRO Motion by July 13, 2026. ECF 6. The Court further directed
22 Respondents to “indicate in their response whether they oppose the conversion of the motion to a motion
23 for a preliminary injunction.” *Id.*

24 Respondents do not oppose the conversion of the TRO Motion to a motion for a preliminary
25 injunction. Respondents hereby oppose the Habeas Petition, the TRO Petition, and any form of
26 injunctive relief. Respondents do not intend to submit further substantive briefing; they therefore do not
27 oppose the Court ruling on injunctive relief and the merits of the Habeas Petition at the same time.
28

ARGUMENT

Petitioners entered the United States illegally. Petitioners are thus each an “applicant for admission” and each is subject to mandatory detention by ICE under 8 U.S.C. § 1225(b)(2). *Joaquin Herrera Avila v. Bondi*, No. 25-3741 (8th Cir. March 25, 2026); *Buenrostro-Mendez v. Bondi*, No. 25-20496, 2026 WL 323330, at *1 (5th Cir. Feb. 6, 2026); *see also Cortes Alonzo v. Noem*, 1:25-cv-01519-WBS-SCR at Dkt. 14 (E.D. Cal. Nov. 17, 2025).

An “alien who ‘arrives in the United States,’ or ‘is present’ in this country but ‘has not been admitted,’ is treated as ‘an applicant for admission.’” *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018) (quoting 8 U.S.C. § 1225(a)(1)). As an applicant for admission, petitioner is subject to mandatory detention and thus ineligible for a bond hearing. Petitioners do not possess a right to freedom from immigration detention in any form other than the form provided by Congress. *Shaughnessy v. United States ex rel. Mezei*, 345 U.S. 206, 212 (1953), *reaffirmed in DHS v. Thuraissigiam*, 591 U.S. 103, 139 (2020). The Court should deny the petition for writ of habeas corpus and any injunctive relief because there is no such liberty interest, and petitioners’ detention is mandated by statute.

Dated: July 13, 2026

Respectfully submitted,

ERIC GRANT
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By: /s/ Michael G. Tierney
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