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11 UNITED STATES DISTRICT COURT
12 FOR THE CENTRAL DISTRICT OF CALIFORNIA
13

14 CESAR LEONARDO LOPEZ-
AGUILAR.,

15 Petitioner,

16 v.

17 *Warden of* ADELANTO DETENTION
18 FACILITY; et al.,

19 Respondents.
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No. 5:25-cv-03393-MRA-RAO

**FEDERAL RESPONDENTS' ANSWER
TO PETITIONER CESAR LEONARDO
LOPEZ-AGUILAR'S PETITION FOR
WRIT OF HABEAS CORPUS**

**[Filed Concurrently with Notice of
Lodging of Exhibits]**

Hon. Rozella A. Oliver
United States Magistrate Judge

Hon. Mónica Ramirez Almadani
United States District Judge

1 In accordance with this Court's December 16, 2025 Order Requiring Response to
2 Petition (Dkt. 3), Federal Respondents hereby answer Petitioner Cesar Leonardo Lopez-
3 Aguilar's Petition for Writ of Habeas Corpus. Further, in response to the questions posed
4 by the Court in its Order, Federal Respondents respond as follows: (1) Petitioner is a
5 danger to the community and/or a flight risk, and (2) this case does not involve a "high
6 probability of success on the merits" or "special circumstances" that would warrant
7 Petitioner's release on bail as contemplated in *United States v. McCandless*, 841 F.3d
8 819, 822 (9th Cir. 2016).

9 **1. Petitioner Is a Danger to the Community and/or Flight Risk.**

10 Petitioner has a long criminal history (Dkt. 6, Exh. A) including the following:

- 11 • On or about September 6, 2024, arrested for carrying a concealed firearm in
12 violation of Cal. Penal Code, section 25400(a)(1). He was convicted on
13 June 17, 2025. *Id.*
- 14 • On February 14, 2014, convicted of driving under the influence of
15 alcohol/drugs in violation of Cal. Vehicle Code, section 23152(a) in the Los
16 Angeles Superior Court. He was sentenced to 180 days in the Los Angeles
17 County Jail. *Id.*
- 18 • On February 14, 2014, convicted of resisting in violation of Cal. Penal
19 Code, section 148(a)(1) in the Los Angeles Superior Court. Sentenced to
20 180 days in the Los Angeles County Jail. *Id.*
- 21 • On July 3, 2013, convicted of driving under the influence of alcohol in
22 violation of Cal. Vehicle Code, section 23152(b). Sentenced to 90 days in
23 the Los Angeles County Jail. *Id.*
- 24 • On July 3, 2013, convicted of driving without a valid license in violation of
25 Cal. Vehicle Code, section 12500(a). *Id.* Sentenced to 5 days in the Los
26 Angeles County Jail. *Id.*

27 Due to Petitioner's continued and significant criminal history, Federal
28 Respondents respectfully submit that he presents a danger to the community and a flight

1 risk.

2 **2. Petitioner Was Given an Opportunity for a Bond Hearing.**

3 Petitioner requested a custody redetermination before an immigration judge in
4 accordance with 8 C.F.R. § 1236. Dkt. 6, Exh. B. As noted in the immigration judge's
5 December 22, 2025 order, Petitioner withdrew the bond request. *Id.* To the extent
6 Petitioner seeks an order requiring a bond hearing in his Petition, it should be deemed
7 moot.

8 Respectfully submitted,

9 Dated: December 25, 2025

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19 * The undersigned, counsel of record for the Federal Respondents certifies that this brief
20 contains 370 words, which complies with the word limit of L.R. 11-6.1.
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