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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

Andres Rodas-Dieguez, Petitioners, v. Kristi Noem, Secretary, Department Of Homeland Security, et.al, Respondents.	Case No.: 26CV976 RBM MMP **RESPONSE TO PETITION**

Based on Petitioner's representation that he entered the United States without inspection in 1986 and has resided in this country since that time, he appears to be a member of the Bond Eligible Class certified in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ---, 2025 WL 3288403 (C.D. Cal. Nov. 25, 2025).[1] The *Bautista* court has entered final judgement as to the Bond Eligible Class. *Bautista*, ECF No. 94. Accordingly, Respondents acknowledge that Petitioner is detained under 8

[1] ICE records do not reflect when Petitioner arrived in the U.S. Apparently his arrest in January 2026 was his first encounter with immigration authorities.

U.S.C. § 1226(a) and is entitled to an order from this Court directing a bond hearing be held pursuant to 8 U.S.C. § 1226(a).[2] Respondents do not believe an evidentiary hearing would assist the court in deciding this matter.

Respondents reserve the right to supplement this response in the event of a stay of enforcement of the *Bautista* final judgment, appellate relief, or a change in DHS policy.

DATED: February 25, 2026

ADAM GORDON
United States Attorney

s/Cindy M. Cipriani
Cindy M. Cipriani
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[2] To the extent the Court issues an order directing a bond hearing under 1226(a), considering heavy caseloads and staffing levels, Respondents respectfully request that such order provide the government 14 days from issuance to hold such bond hearing.