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8
9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11
12 DESMOND ACHALEFAC ACHA,

13 Petitioner,

14 v.

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16 KRISTI NOEM, *Secretary, Department of*
Homeland Security, et al.,

17 Respondents.
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Case No.: 26-cv-01289-JO-MSB

**RETURN TO PETITION FOR
WRIT OF HABEAS CORPUS
AND MOTION FOR TEMPORARY
RESTRAINING ORDER**

1 Petitioner was granted withholding of removal to Cameroon, his country of
2 citizenship, in a removal order that became administratively final on September 10, 2025.
3 *See* Declaration of Alex Palacios (Palacios Decl.) ¶ 5-8. Since then, attempts to identify
4 a third country for Petitioner’s removal have not been successful, *Id.* at ¶ 9-19, and there
5 is otherwise no evidence to suggest there is a significant likelihood that Petitioner is
6 removed in the reasonably foreseeable future. *Zadvydas v. Davis*, 533 U.S. 678 (2001).

7 Respondents therefore acknowledge that Petitioner is entitled to be released from
8 custody “subject to supervision under regulations *prescribed by the Attorney General.*” 8
9 U.S.C. § 1231(a)(3); *see also* 8 C.F.R. § 241.5(a).

10 DATED: March 16, 2026

ADAM GORDON
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12 *s/Hunter V. Norton*
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