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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

HENRRY AMAYA-INGLES

Petitioner,

v.

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

Respondents.

Case No.: 25-cv-02223-RBM-MMP

JOINT STATUS REPORT

Pursuant to the parties' April 30, 2026 joint motion to stay (ECF No. 10), the parties, through their respective counsel of record, respectfully submit this joint status report. On January 29, 2026, Petitioner filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 in the U.S. District Court for the District of Arizona. *See Amaya-Ingles v. United States of America; et al.*, No. 2:26-cv-00563-AMM (D.Ariz.), ECF No.

1 On April 17, 2026, Magistrate Judge John Z. Boyle granted Petitioner's petition, in
2 part, and recommended the Petitioner be provided an individualized bond hearing
3 within three days if the Court's recommendation is adopted. *Id.*, ECF No. 16. On May
4 7, 2026, District Judge Angela M. Martinez adopted the magistrate's recommendation.
5 *Id.*, ECF No. 18.

6 On May 11, 2026, Respondents provided Petitioner with an individualized bond
7 hearing in front of an immigration judge. *See* Exhibit 1 (Order of the Immigration
8 Judge). At the hearing, the immigration judge denied bond to Petitioner because he
9 poses a danger to the community and is a flight risk. *See id.*

10 On May 14, 2026, the parties met and conferred regarding this joint status report
11 and were unable to come to an agreement on a recommendation to the Court with
12 regards to the instant habeas petition before the Court. As such, the parties hereby
13 submit their respective positions on the proposed outcome of this matter:

14 **PETITIONER'S POSITION**

15 Federal Defenders has no further briefing or argument to add to Mr. Amaya's *pro*
16 *se* habeas petition at ECF No. 1 and respectfully requests that the Court rule on
17 Mr. Amaya's pending claims.

18 **RESPONDENTS' POSITION**

19 Respondents contend Petitioner has already been granted the habeas relief he
20 seeks in the instant petition before the Court, where the government met their burden,
21 by clear and convincing evidence, establishing Petitioner poses a danger to the
22 community and is a flight risk. As such, the Court should dismiss this habeas petition
23 as moot.

24 To the extent Petitioner intends to keep this petition alive in order to challenge
25 the decision of his bond hearing, the Court should ensure Petitioner properly exhausts
26 his administrative remedies prior to seeking judicial action with the District Court. The
27 Ninth Circuit requires that "habeas petitioners exhaust available judicial and
28 administrative remedies before seeking relief under § 2241." *Castro-Cortez v. INS*, 239

1 F.3d 1037, 1047 (9th Cir. 2001). “When a petitioner does not exhaust administrative
2 remedies, a district court ordinarily should either dismiss the petition without prejudice
3 or stay the proceedings until the petitioner has exhausted remedies, unless exhaustion
4 is excused.” *Leonardo v. Crawford*, 646 F.3d 1157, 1160 (9th Cir. 2011); *see also*
5 *Alvarado v. Holder*, 759 F.3d 1121, 1127 n.5 (9th Cir. 2014) (issue exhaustion is a
6 jurisdictional requirement); *Tijani v. Holder*, 628 F.3d 1071, 1080 (9th Cir. 2010) (no
7 jurisdiction to review legal claims not presented in the petitioner’s administrative
8 proceedings before the BIA). Here, the appropriate remedy is for Petitioner to appeal the
9 immigration judge’s decision to the Board of Immigration Appeals (BIA). To date, he
10 has not done so.

11 Therefore, it is Respondents’ position that no further action is necessary in this
12 matter and respectfully request the Court dismiss the case without prejudice.

13 DATED: May 15, 2026

14 s/ Camille B. Fenton
15 CAMILLE B. FENTON
16 Federal Defenders of San Diego, Inc.
Attorneys for Petitioner

17 DATED: May 15, 2026

18 ADAM GORDON
United States Attorney

19 s/ Camille Savedra
20 CAMILLE SAVEDRA
21 MICHAEL WALLACE
Assistant U.S. Attorneys
Attorneys for Respondents

22 **SIGNATURE CERTIFICATION**

23 Pursuant to Section 2(f)(4) of the Electronic Case Filing Administrative Policies
24 and Procedures of the United States District Court for the Southern District of
25 California, I hereby certify that the content of this document is acceptable to Camille
26 Fenton, counsel for Petitioner, and that I have obtained Ms. Fenton’s authorization to
affix her electronic signature to this document.

27 DATED: May 15, 2026

28 s/ Camille Savedra
CAMILLE SAVEDRA