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11 **UNITED STATES DISTRICT COURT**
12
13 **SOUTHERN DISTRICT OF CALIFORNIA**

14 SALVADOR ROMERO RADILLA,

15 Petitioner,

16 v.

17 MARKWAYNE MULLIN,
18 *Secretary, Department of Homeland*
19 *Security, et al.,*

20 Respondents.
21

Case No.: 26-cv-02263-BAS-DDL

**RETURN TO PETITION FOR
WRIT OF HABEAS CORPUS**

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23 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. Petitioner is subject to
24 mandatory detention under 8 U.S.C. § 1225(b). *See Jennings v. Rodriguez*, 583 U.S. 281
25 (2018). However, the government acknowledges that courts in this District have repeatedly
26 inferred a constitutional right against prolonged mandatory detention. Taking into
27 consideration those prior rulings and the length of time Petitioner has been in custody, the
28 government concedes that this Court should order that Petitioner receive a bond hearing,

1 where the government would bear the burden of proof of establishing, by clear and
2 convincing evidence, that Petitioner poses a danger to the community or a risk of flight.
3 *See Sadeqi v. LaRose*, No. 25-cv-2587-RSH-BJW, 2025 WL 3154520 (S.D. Cal. Nov. 12,
4 2025); *Gao v. LaRose*, No. 25-cv-2084-RSH-SBC, 2025 WL 2770633 (S.D. Cal. Sept. 26,
5 2025).

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7 DATED: April 28, 2026

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