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10 UNITED STATES DISTRICT COURT
11 SOUTHERN DISTRICT OF CALIFORNIA

12 ANNA VIALKINA; et al.,

13 Petitioners,

14 v.

15 CHRISTOPHER LAROSE, Warden, Otay
16 Mesa Detention Center; et al.,

17 Respondents.
18

Case No.: 26-cv-02403-TWR-MMP

19
20 **RESPONSE TO PETITION**

21 Petitioners filed a habeas petition under 28 U.S.C. § 2241. Petitioners are subject to
22 mandatory detention under 8 U.S.C. § 1225(b). *See Jennings v. Rodriguez*, 583 U.S. 281
23 (2018). However, the government acknowledges that courts in this District have repeatedly
24 inferred a constitutional right against prolonged mandatory detention. Taking into
25 consideration those prior rulings and the length of time Petitioners have been in custody,
26 the government concedes that this Court should order that Petitioners receive a bond
27 hearing, where the government would bear the burden of proof of establishing, by clear
28 and convincing evidence, that Petitioners pose a danger to the community or a risk of flight.
See Sadeqi v. LaRose, No. 25-cv-2587-RSH-BJW, 2025 WL 3154520 (S.D. Cal. Nov. 12,

2025); *Gao v. LaRose*, No. 25-cv-2084-RSH-SBC, 2025 WL 2770633 (S.D. Cal. Sept. 26, 2025).

DATED: April 23, 2026

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s/ Camille Savedra
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