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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA**

MYKHAILO VELYCHKO,
Petitioner,

v.

MARKWAYNE MULLIN, Secretary of
the Department of Homeland Security,
TODD BLANCHE, Acting Attorney
General, TODD M. LYONS, Acting
Director, Immigration and Customs
Enforcement, JESUS ROCHA, Acting
Field Office Director, San Diego Field
Office, CHRISTOPHER LAROSE,
Warden at Otay Mesa Detention Center,

Respondents.

Civil Case No.:26-cv-2520-DMS-
MSB

**REPLY TO RESPONDENTS'
RESPONSE**

1 On April 23, 2026, this Court granted Mr. Velychko's pro se motion to
 2 appoint counsel and appointed Federal Defenders of San Diego, Inc., to represent
 3 Petitioner in this case. Dkt. 3. The Court then ordered Respondents to show cause
 4 why the Petition should not be granted no later than April 30, 2026, and permitted
 5 Mr. Velychko to file a response no later than May 5, 2026. *See id.*

6 On April 26, 2026, undersigned counsel attempted to visit Mr. Velychko at
 7 Otay Mesa Detention Center but was unable to because he was in the medical
 8 unit. Undersigned counsel has not been able to speak to Mr. Velychko since that
 9 time and thus has not been able to file an amended petition or procure a signature.

10 Mr. Velychko's pro se petition "challeng[es] his prolonged and excessive
 11 detention without an individualized bond hearing." Dkt. 1 at 2. Nevertheless,
 12 Respondents do not respond to his petition on the merits but instead argue that the
 13 petition "should be dismissed by the Court because it is not signed." Dkt. 7 at 2.
 14 But under Fed. R. Civ. P. 11(a), courts need not strike or dismiss a pleading if it is
 15 "promptly corrected after being called to the attorney's or party's attention."

16 Given Mr. Velychko's unavailability and undersigned counsel's good faith
 17 efforts to visit him, this Court should deny the government's request to dismiss
 18 and provide Mr. Velychko additional time to provide a signature or amend his
 19 petition. Mr. Velychko requests an extension of one week, to May 7, 2026.

20 Respectfully submitted,

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 22 Dated: April 30, 2026

s/ Kara Hartzler
 Federal Defenders of San Diego, Inc.
 Attorneys for Petitioner
 Email: kara_hartzler@fd.org