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

HECTOR HERNANDEZ-VIAMONTES,

Case No.: 26-cv-2549-JLS-DEB

Petitioner,

Reply

v.

MARKWAYNE MULLIN, Secretary of
the Department of Homeland Security, et
al.,

Respondents.

In its return, the government “concedes that this Court should order that Petitioner receive a bond hearing, where the government would bear the burden of proof of establishing, by clear and convincing evidence, that Petitioner poses a danger to the community or a risk of flight.” Doc. 14 at 1-2.

Mr. Hernandez thus requests that this Court immediately grant his habeas petition. As noted in his petition, he requests that the Court release him immediately from custody. Or, at a minimum, Mr. Hernandez requests that the Court order a bond hearing before an immigration judge where at a minimum:

(1) The hearing be set within fourteen (14) days, unless Petitioner, the non-

1 citizen, requests a continuance;

2 (2) The government shall bear the burden of establishing by clear and
3 convincing evidence that Petitioner poses a danger or flight risk, while
4 further specifying that concerns about interrupting court schedules is
5 not a ground to deny bond; and

6 (3) The IJ shall consider alternative conditions of release and Petitioner's
7 ability to pay bond if he or she determines bond is appropriate.

8
9 Respectfully submitted,

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11 Dated: May 22, 2026

s/ Zandra L. Lopez

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