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8
9 **UNITED STATES DISTRICT COURT**

10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 VIVALDO MONTES HERRERA,

12
13 Petitioner,

14 v.

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

17 Respondents.
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Case No.: 26-cv-02891-CAB-GC

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

23 Petitioner appears to be a member of the Bond Eligible Class certified in *Maldonado*
24 *Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d ---, 2025 WL
25 3288403 (C.D. Cal. Nov. 25, 2025). The Ninth Circuit later stayed application of the Order
26 beyond the Central District of California. However, Respondents acknowledge the prior
27 orders from this District directing bond hearings pursuant to 8 U.S.C. § 1226(a) in similar
28

1 cases.¹ Respondents therefore do not oppose an order from this Court directing a bond
2 hearing be held pursuant to 8 U.S.C. § 1226(a).

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4 DATED: May 14, 2026

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6 s/ Tom Merritt
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27 ¹ To the extent the Court issues an order directing a bond hearing under 1226(a), considering
28 heavy caseloads and staffing levels, Respondents respectfully request that such order
provide the government 14 days from issuance to hold such bond hearing.