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7 Attorneys for Respondents

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

12 ASRA ZAREI,

13 Petitioner,

14 v.

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

18 Respondents.

Case No.: 26-cv-02932-JAO-AHG

RESPONSE TO PETITION

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22 Petitioner filed a habeas petition under 28 U.S.C. § 2241. Petitioner is subject to
23 mandatory detention under 8 U.S.C. § 1225(b). *See Jennings v. Rodriguez*, 583 U.S. 281
24 (2018). However, the government acknowledges that courts in this District have repeatedly
25 inferred a constitutional right against prolonged mandatory detention. Taking into
26 consideration those prior rulings and the length of time Petitioner has been in custody, the
27 government concedes that this Court should order that Petitioner receive a bond hearing,
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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: May 18, 2026

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