

1 ADAM GORDON
United States Attorney
2 ERIN M. DIMBLEBY
Assistant U.S. Attorney
3 California Bar No. 323359
Office of the U.S. Attorney
4 880 Front Street, Room 6293
San Diego, CA 92101-8893
5 Telephone: (619) 546-6987
Email: Erin.Dimbleby@usdoj.gov

6 Attorneys for Respondents
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9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 JOHANNA MONTSERRAT MERO
12 SAMBRANO,

13 Petitioner,
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15 v.

16 FACILITY ADMINISTRATOR; et al.,

17 Respondents.
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Case No.: 26-cv-2959-JO-BJW

RESPONSE TO PETITION

21 Respondents, by and through counsel, hereby respond to the Petition for Writ of
22 Habeas Corpus and the Court's May 15, 2026 order, ECF No. 6. Undersigned counsel
23 sincerely apologizes to Petitioner, the Court, and the Court's staff for not filing a response
24 by May 15, 2026, at 12:00 p.m., as ordered by the Court in its May 12, 2026 order, ECF
25 No. 5. Respondents' counsel inadvertently misread the Court's order and missed the
26 Court's modification to the Standard Procedures for this Immigration Habeas Petition from
27 Chief Judge Order No. 144 included ordering that the government's response be due on
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1 May 15, 2026. As soon as undersigned counsel became aware of that error, the government
2 worked as quickly as possible to review and gather information sufficient to file a response.

3 Petitioner is currently subject to a final order of removal issued by an immigration
4 judge and is currently detained under 8 U.S.C. § 1231(a). Undersigned counsel is unable
5 to ascertain sufficient facts at this time to establish that there is a significant likelihood of
6 removal in the reasonably foreseeable future. *See Zadvydas v. Davis*, 533 U.S. 678 (2001).
7 Accordingly, Respondents defer to the Court on the appropriate relief. *See* 8 U.S.C.
8 § 1231(a)(3); 8 C.F.R. § 241.13(h)(1); *Ba v. Lyons*, No. 25-cv-2871-CAB-BJW, 2026 WL
9 218936, at *1 (S.D. Cal. Jan. 27, 2026) (“The habeas statute does not empower courts to
10 manage ICE supervision programs.”) (citing 28 U.S.C. § 2241(c)(3)); *Khachikian v. Casey*,
11 No. 25-cv-3737-GPC-JLB, ECF No. 13 (S.D. Cal. Jan. 13, 2026) (“Ultimately, ICE has
12 discretion to impose conditions on release.”).

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14 DATED: May 18, 2026

ADAM GORDON
United States Attorney

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16 s/ Erin Dimbleby
ERIN DIMBLEBY
Assistant United States Attorney
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