

1 ADAM GORDON
United States Attorney
2 MICHAEL D. WALLACE
Assistant United States Attorney
3 Maryland Bar No. 9912160256
Office of the U.S. Attorney
4 880 Front Street, Room 6293
San Diego, CA 92101-8893
5 Telephone: (619)546-8714
Email: Michael.Wallace4@usdoj.gov

6 Attorneys for Respondents

7
8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**
10

11 YOHANNA BERENICE ACOSTA,

12 Petitioner,

13
14 v.

15 JEREMY CASEY, et al.,

16 Respondents.
17
18

Case No.: 26-cv-2927-JO-DEB

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

19
20 **I. INTRODUCTION**

21 Petitioner filed a habeas petition under 28 U.S.C. § 2241 which fails to state a
22 claim or allege sufficient facts upon which this Court can issue a ruling. In the event,
23 this Court does not dismiss this petition without prejudice, Respondents provide the
24 Court the following information and request that the Court deny the petition. As an
25 arriving alien and applicant for admission, Petitioner's detention is mandated by 8
26 U.S.C. § 1225(b)(2) until the conclusion of her removal proceedings. Accordingly, the
27 Court should deny Petitioner's requests for relief.
28

II. FACTUAL AND PROCEDURAL BACKGROUND

Petitioner is a native and citizen of Mexico. Exhibit (Ex.) 1 (I-213, January 7, 2025). On January 7, 2025, Petitioner applied for admission and claimed to be a U.S. citizen. *Id.* On January 23, 2025, she was issued a Notice to Appear (NTA). Ex. 2 (NTA). On February 6, 2023, Petitioner had been arrested for knowingly importing and bringing merchandise into the United States contrary to law in violation of 18 U.S.C. § 545. Ex. 3 (Plea Agreement). The merchandise was 2.8 kilograms of methamphetamine. Ex. 1. The filing of the NTA initiated removal proceedings, pursuant to 8 U.S.C. § 1229a, against Petitioner. On October 7, 2025, she applied for admission to the United States at the Calexico West port of entry. Ex. 4 (I-213, October 7, 2025). She did not then possess legal documentation to be in or enter the United States. Records revealed that Petitioner had a warrant for her arrest for failing to report for probation subsequent to her conviction and sentence for the importation offense. Ex. 3. She was determined to be an arriving alien inadmissible under 8 U.S.C. § 1182(a)(6)(C)(ii), placed into expedited removal proceedings under 8 U.S.C. § 1225(b)(1). On December 19, 2025, Petitioner was taken into Immigration and Customs Enforcement (ICE) custody from the El Centro Detention Facility pursuant to 8 U.S.C. § 1225(b) after she had served an additional 75-day sentence for failing to report to probation. Ex. 5 (I-213, December 19, 2025). Within her removal proceedings under § 1229a, Petitioner can apply for relief from removal before an immigration judge (IJ), including asylum under 8 U.S.C. § 1158, withholding of removal under 8 U.S.C. § 1231(b)(3), and relief under the Convention Against Torture. The first master calendar hearing was scheduled for March 12, 2025. The second hearing for April 23, 2025. Petitioner did not appear for either hearing. Ex. 6 (Adjournment History); Ex. 7 (Adjournment Codes)(showing Code 11 – No show). After she was detained, the master calendar hearing was scheduled for January 12, 2026. *Id.* Petitioner has made request to delay each of the next nine hearing dates resulting in almost five months of delay

1 until June 3, 2026. *Id.* Her removal proceedings remain pending. Petitioner remains
2 mandatorily detained under 8 U.S.C. § 1225(b)(2)(A).

3 III. STATUTORY BACKGROUND

4 Section 235 of the Immigration and Nationality Act (INA), codified at 8 U.S.C.
5 § 1225, applies to an “applicant for admission,” defined as an “alien present in the
6 United States who has not been admitted” or “who arrives in the United States.” 8
7 U.S.C. § 1225(a)(1). “[A]pplicants for admission fall into one of two categories, those
8 covered by § 1225(b)(1) and those covered by § 1225(b)(2).” *Jennings v. Rodriguez*,
9 583 U.S. 281, 287 (2018).

10 Section 1225(b)(1) applies to arriving aliens and “certain other” aliens “initially
11 determined to be inadmissible due to fraud, misrepresentation, or lack of valid
12 document.” *Id.* (citing 8 U.S.C. § 1225(b)(1)(A)(i)). These aliens are generally subject
13 to expedited removal proceedings. *See* 8 U.S.C. § 1225(b)(1)(A)(i). But if “the alien
14 indicates an intention to apply for asylum . . . or a fear of persecution,” immigration
15 officers will refer the alien for a credible fear interview. 8 U.S.C. § 1225(b)(1)(A)(ii).
16 “If the officer determines at the time of the interview that [the] alien has a credible fear
17 of persecution . . . , the alien *shall be detained* for further consideration of the
18 application for asylum.” 8 U.S.C. § 1225(b)(1)(B)(ii) (emphasis added). If the alien
19 does not indicate an intent to apply for asylum, does not express a fear of persecution,
20 or is “found not to have such a fear,” they “shall be detained . . . until removed” from
21 the United States. 8 U.S.C. §§ 1225(b)(1)(A)(i), (B)(iii)(IV).

22 Section 1225(b)(2) is “broader” and “serves as a catchall provision.” *Jennings*,
23 583 U.S. at 287. It “applies to all applicants for admission not covered by §
24 1225(b)(1).” *Id.* Under § 1225(b)(2), an alien “who is an applicant for admission” shall
25 be detained for a removal proceeding “if the examining immigration officer determines
26 that [the] alien seeking admission is not clearly and beyond a doubt entitled to be
27 admitted.” 8 U.S.C. § 1225(b)(2)(A); *Matter of Q. Li*, 29 I&N Dec. 66, 68 (BIA 2025)
28 (“for aliens arriving in and seeking admission into the United States who are placed

1 directly in full removal proceedings, section 235(b)(2)(A) of the INA, 8 U.S.C. §
 2 1225(b)(2)(A), mandates detention ‘until removal proceedings have concluded.’”) (citing *Jennings*, 583 U.S. at 299). However, DHS has the sole discretionary authority
 3 to temporarily release on parole “any alien applying for admission to the United States”
 4 on a “case-by-case basis for urgent humanitarian reasons or significant public benefit.”
 5 *Id.* § 1182(d)(5)(A); see *Biden v. Texas*, 597 U.S. 785, 806 (2022).

7 IV. ARGUMENT

8 A. Petitioner Fails to Plead Sufficient Information

9 The Constitution limits federal judicial power to designated “cases” and
 10 “controversies.” U.S. Const., art. III, § 2; see also *SEC v. Med. Comm. for Human*
 11 *Rights*, 404 U.S. 403, 407 (1972) (federal courts may only entertain matters that present
 12 a “case” or “controversy” within the meaning of Article III). “Absent a real and
 13 immediate threat of future injury there can be no case or controversy, and thus no Article
 14 III standing for a party seeking injunctive relief.” *Wilson v. Brown*, No. 05-cv-1774-
 15 BAS-MDD, 2015 WL 8515412, at *3 (S.D. Cal. Dec. 11, 2015) (citing *Friends of the*
 16 *Earth, Inc. v. Laidlaw Envtl. Servs. (TOC), Inc.*, 528 U.S. 167, 190 (2000) (“[I]n a
 17 lawsuit brought to force compliance, it is the plaintiff’s burden to establish standing by
 18 demonstrating that, if unchecked by the litigation, the defendant’s allegedly wrongful
 19 behavior will likely occur or continue, and that the threatened injury is certainly
 20 impending.”) (simplified)). At the “irreducible constitutional minimum,” standing
 21 requires that a petitioner demonstrate the following: (1) an injury in fact (2) that is fairly
 22 traceable to the challenged action of the United States and (3) likely to be redressed by
 23 a favorable decision. *Lujan v. Defenders of Wildlife*, 504 U.S. 555, 560–61 (1992).

24 Moreover, an individual may seek habeas relief under 28 U.S.C. § 2241 if he is
 25 “in custody” under federal authority “in violation of the Constitution or laws or treaties
 26 of the United States.” 28 U.S.C. § 2241(c). But habeas relief is available to challenge
 27 only the legality or duration of confinement. *Pinson v. Carvajal*, 69 F.4th 1059, 1067
 28 (9th Cir. 2023); *Crawford v. Bell*, 599 F.2d 890, 891 (9th Cir. 1979); *Dep’t of Homeland*

1 *Security v. Thraissigiam*, 591 U.S. 103, 117 (2020) (The writ of habeas corpus
2 historically “provide[s] a means of contesting the lawfulness of restraint and securing
3 release.”). The Ninth Circuit squarely explained how to decide whether a claim sounds
4 in habeas jurisdiction: “[O]ur review of the history and purpose of habeas leads us to
5 conclude the relevant question is whether, based on the allegations in the petition,
6 release is *legally required* irrespective of the relief requested.” *Pinson*, 69 F.4th at 1072
7 (emphasis in original); *see also Nettles v. Grounds*, 830 F.3d 922, 934 (9th Cir. 2016)
8 (The key inquiry is whether success on the petitioner’s claim would “necessarily lead
9 to immediate or speedier release.”); *Guselnikov v. Noem*, No. 25-cv-1971-BTM-KSC,
10 2025 WL 2300873, at *1 (S.D. Cal. Aug. 8, 2025) (finding petitioners’ claims did not
11 arise under § 2241 because they were not arguing they were unlawfully in custody and
12 receiving the requested relief would not entitle them to release); *Giron Rodas v. Lyons*,
13 No. 25cv1912-LL-AHG, 2025 WL 2300781, at *3 (S.D. Cal. Aug. 1, 2025) (“Like in
14 *Pinson*, the Court lacks jurisdiction over Petitioner’s § 2241 habeas petition since it
15 cannot be fairly read as attacking ‘the legality or duration of confinement.’”) (quoting
16 *Pinson*, 69 F.4th at 1065).

17 Moreover, the Supreme Court has held that “[h]abeas Corpus Rule 2(c) is more
18 demanding [than Federal Rule of Civil Procedure 8(a)]. It provides that the petition
19 must ‘specify all the grounds for relief available to the petitioner’ and ‘state the facts
20 supporting each ground.’” *Mayle v. Felix*, 545 U.S. 644, 655 (2005) (citing Rules
21 Governing Section 2254 Cases in the United States District Court (“Federal Habeas
22 Rules”); *see also James v. Borg*, 24 F.3d 20, 26 (9th Cir. 1994) (“Conclusory allegations
23 which are not supported by a statement of specific facts do not warrant habeas relief.”).
24 As stated by the Advisory Committee’s Note on Habeas Corpus Rule 4, 28 U.S.C., p.
25 471, “notice pleading is not sufficient, for the petition is expected to state facts that point
26 to a real possibility of constitutional error.”) (internal quotation marks omitted).

27 Here, Petitioner’s habeas petition fails to supply sufficient information for the
28 Court to adjudicate her claim. As such, the Court should dismiss the petition. *See Alonso*

1 *Velasquez v. LaRose*, No. 25-cv-3216-JES-AHG, 2025 WL 3473773 (S.D. Cal. Dec. 3,
2 2025) (dismissing without prejudice habeas petition that failed to allege sufficient
3 factual information).

4 **B. Petitioner is lawfully detained under the INA and the Constitution.**

5 **1. Petitioner is mandatorily detained under 8 U.S.C. § 1225(b)(2).**

6 Petitioner's claim fails because she is subject to mandatory detention under 8
7 U.S.C. § 1225(b)(2). Under 8 U.S.C. § 1225(a)(1), an "applicant for admission" is
8 defined as an "alien present in the United States who has not been admitted or who
9 arrives in the United States." As explained above, applicants for admission "fall into
10 one of two categories, those covered by § 1225(b)(1) and those covered by §
11 1225(b)(2)." *Jennings*, 583 U.S. at 287.

12 Section 1225(b)(2)(A) requires mandatory detention of "an alien who is *an*
13 *applicant for admission*, if the examining immigration officer determines that an alien
14 seeking admission is not clearly and beyond a doubt entitled to be admitted[.]" *Chavez*
15 *v. Noem*, No. 3:25-cv-02325, 2025 WL 2730228, at *4 (S.D. Cal. Sept. 24, 2025)
16 (quoting 8 U.S.C. § 1225(b)(2)(A)) (emphasis in original). Petitioner contends that she
17 is entitled to a bond hearing. But the Supreme Court has rejected such contention,
18 explaining: "Read most naturally, §§ 1225(b)(1) and (b)(2) thus mandate detention of
19 applicants for admission until certain proceedings have concluded. . . . Nothing in the
20 statutory text imposes any limit on the length of detention. And neither § 1225(b)(1)
21 nor § 1225(b)(2) says anything whatsoever about bond hearings." *Jennings*, 583 U.S. at
22 297. Except for temporary parole granted at the discretion of the Attorney General "for
23 urgent humanitarian reasons or significant public benefit" under 8 U.S.C. § 1182(d)(5),
24 "there are no *other* circumstances under which aliens detained under § 1225(b) may be
25 released." *Id.* at 300 (emphasis in original).

26 As Petitioner's removal proceedings are pending, and she has not been granted
27 temporary parole, section 1225(b)(2) mandates her detention until the proceedings have
28 concluded. *Jennings*, 583 U.S. at 297 ("Once those proceedings end, detention under

1 § 1225(b) must end as well.”). Because Petitioner is lawfully detained under
2 section 1225(b)(2) and the statute does not entitle her to a bond hearing at this time, her
3 petition must be denied. *See, e.g., Zelaya-Gonzalez v. Matuszewski*, No. 23-CV-151
4 JLS-KSC, 2023 WL 3103811, at *3 (S.D. Cal. April 25, 2023) (applying *Jennings* to
5 find that the petitioner had no right to release or a bond hearing).

6 **2. Petitioner’s detention does not violate due process.**

7 In *Jennings*, the Supreme Court evaluated the proper interpretation of 8 U.S.C.
8 § 1225(b). The Supreme Court stated that, “[r]ead most naturally, [8 U.S.C.]
9 §§ 1225(b)(1) and (b)(2) . . . mandate detention of applicants for admission until certain
10 proceedings have concluded.” *Id.* at 297. In other words, neither 8 U.S.C. § 1225(b)(1)
11 nor § 1225(b)(2) “impose[] any limit on the length of detention” and “neither
12 § 1225(b)(1) nor § 1225(b)(2) say[] anything whatsoever about bond hearings.” *Id.* The
13 Supreme Court added that the sole means of release for noncitizens detained pursuant
14 to 8 U.S.C. §§ 1225(b)(1) or (b)(2) prior to removal from the United States is temporary
15 parole at the discretion of the Attorney General under 8 U.S.C. § 1182(d)(5). *Id.* at 300
16 (“That express exception to detention implies that there are no *other* circumstances
17 under which aliens detained under [8 U.S.C.] § 1225(b) may be released.”) (emphasis
18 in original). “In sum, [8 U.S.C.] §§ 1225(b)(1) and (b)(2) mandate detention of aliens
19 throughout the completion of applicable proceedings[.]” *Id.* at 302.

20 In *Shaughnessy v. United States ex rel. Mezei*, 345 U.S. 206, 207–09 (1953), a
21 noncitizen in exclusion proceedings filed a habeas petition claiming that his prolonged
22 detention without a hearing violated his constitutional rights. The Supreme Court
23 rejected the petition, concluding that the noncitizen’s continued detention did not
24 deprive him of any due process rights, stating: “[A]n alien on the threshold of initial
25 entry stands on a different footing: ‘Whatever the procedure authorized by Congress
26 is, it is due process as far as an alien denied entry is concerned.’” *Id.* at 212 (citation
27 omitted).

1 In *Department of Homeland Security v. Thuraissigiam*, 591 U.S. 103, 138–40
 2 (2020), the Supreme Court once again addressed the due process rights of individuals
 3 like Petitioner—inadmissible arriving noncitizens seeking initial entry into the United
 4 States. The Supreme Court stated that such individuals have no due process rights
 5 “other than those afforded by statute.” *Id.* at 107; *see also id.* at 140 (“[A]n alien in
 6 respondent’s position has only those rights regarding admission that Congress has
 7 provided by statute.”). The Supreme Court noted that its determination was supported
 8 by “more than a century of precedent.” *Id.* at 138 (citing *Nishimura Ekiu v. United*
 9 *States*, 142 U.S. 651, 660 (1892); *U.S. ex rel. Knauff v. Shaughnessy*, 338 U.S. 537,
 10 544 (1950); *Mezei*, 345 U.S. at 212; *Landon v. Plasencia*, 459 U.S. 21, 32 (1982)).
 11 Because the only process due Petitioner is that afforded under section 1225(b), the
 12 Court must reject her claim that her detention violates the Fifth Amendment’s Due
 13 Process Clause and deny her requested relief. *See Thuraissigiam*, 591 U.S. at 138–40;
 14 *Mendoza-Linares*, 51 F.4th at 1167; *Rodriguez Diaz v. Garland*, 53 F.4th 1189, 1206
 15 (9th Cir. 2022) (“The recognized liberty interests of U.S. citizens and aliens are not
 16 coextensive: the Supreme Court has ‘firmly and repeatedly endorsed the proposition
 17 that Congress may make rules as to aliens that would be unacceptable if applied to
 18 citizens.’”) (quoting *Demore v. Kim*, 538 U.S. 510, 522 (2003)); *Zelaya-Gonzalez*,
 19 2023 WL 3103811, at *4 (“Binding Ninth Circuit and Supreme Court precedents are
 20 clear that Petitioner lacks any rights beyond those conferred by statute, and no statute
 21 entitles Petitioner to a bond hearing.”).

22 Since the Supreme Court’s decision in *Thuraissigiam*, numerous published
 23 decisions have acknowledged *Thuraissigiam*’s impact on the precise Fifth Amendment
 24 Due Process Clause that Petitioner might have raised in this petition: Does an alien
 25 detained under 8 U.S.C. § 1225(b)(1) have a due process right to release or a bond
 26 hearing after being detained for a certain period of time? The answer is no. *See*
 27 *Mendoza-Linares v. Garland*, No. 21-cv-1169-BEN (AHG), 2024 WL 3316306, *2
 28 (S.D. Cal. June 10, 2024) (“[T]he Court finds that Petitioner has no Fifth Amendment

1 right to a bond hearing pending his removal proceedings.”); *Zelaya-Gonzalez*, 2023
2 WL 3103811. *3 (S.D. Cal. Apr. 25, 2023) (same); *Rodriguez Figueroa v. Garland*,
3 535 F. Supp. 3d 122, 126–27 (W.D.N.Y. 2021); *Gonzales Garcia v. Rosen*, 513 F.
4 Supp. 3d 329, 336 (W.D.N.Y. 2021); *St. Charles v. Barr*, 514 F. Supp. 3d 570, 579
5 (W.D.N.Y. 2021); *Petgrave v. Aleman*, 529 F. Supp. 3d 665, 667 (S.D. Tex. 2021).

6 Even if the Court infers a constitutional right against prolonged mandatory
7 detention, Petitioner’s claim still fails. “In general, as detention continues past a year,
8 courts become extremely wary of permitting continued custody absent a bond hearing.”
9 *Sibomana v. LaRose*, No. 22-cv-933-LL-NLS, 2023 WL 3028093, at *4 (S.D. Cal.
10 April 20, 2023) (citation omitted); *see also Durand v. Allen*, No. 3:23-cv-00279-RBM-
11 BGS, 2024 WL 711607, at *5 (S.D. Cal. Feb. 21, 2024) (detained over two-and-a-half
12 years); *Sanchez-Rivera v. Matuszewski*, No. 22-cv-1357-MMA (JLB), 2023 WL
13 139801, at *6 (S.D. Cal. Jan. 9, 2023) (three years); *Yagao v. Figueroa*,
14 No. 17-cv-2224-AJB-MDD, 2019 WL 1429582, at *2 (S.D. Cal. March 29, 2019) (two
15 years). Petitioner’s detention falls significantly short of the length these courts have
16 found to raise due process concerns.

17 In similar cases, courts in this district have applied the test in *Lopez v. Garland*,
18 631 F. Supp. 3d 870, 879 (E.D. Cal. 2022). *See, e.g., Sanchez-Rivera*, 2023 WL 139801,
19 at *5 (“[W]hile the *Mathews* [*v. Eldridge*, 424 U.S. 319 (1976)] factors may be well-
20 suited to determining whether due process requires a second bond hearing, they are not
21 particularly dispositive of whether prolonged mandatory detention has become
22 unreasonable in a particular case.”); *D.D. v. LaRose, et al.*, Case No. 25-cv-02581-BJC-
23 JLB, ECF No. 10 at 7 (S.D. Cal. Oct. 22, 2025) (considering a similar claim and finding
24 “the three-factor balancing test from *Lopez* . . . provides an appropriate assessment of
25 the possible constitutional implications of Petitioner’s ongoing detention without
26 process.”).

27 Under *Lopez*, to determine whether continued mandatory detention has become
28 unreasonable, “the Court will look to the total length of detention to date, the likely

1 duration of future detention, and the delays in the removal proceedings caused by the
2 petitioner and the government.” 631 F. Supp. 3d at 879.

3 First, Petitioner has been detained for under five months. Courts in this district
4 have found detention for much longer periods to be unreasonably prolonged. *See*
5 *Durand v. Allen*, No. 3:23-cv-00279-RBM-BGS, 2024 WL 711607 at *5 (S.D. Cal.
6 Feb. 21, 2024) (32 months); *Sibomana*, 2023 WL 3028093, at *4 (19 months);
7 *Sanchez-Rivera*, 2023 WL 139801 at *6 (three years); *Kydyrali v. Wolf*, 499 F. Supp.
8 3d 768, 773 (S.D. Cal. 2020) (27 months); *Yagao*, 2019 WL 1429582, at *1 (42
9 months). The length of detention “is the most important factor.” *Sanchez-Rivera*, 2023
10 WL 139801, at *6 (citation omitted). Petitioner’s current detention does not fall within
11 the range those courts have found to be unreasonable. Moreover, the length of
12 Petitioner’s detention, by itself, does not favor granting habeas relief. *See Sadeqi v.*
13 *LaRose*, No. 25-cv-2587-RSH-BJW, 2025 WL 3154520, at *3 (S.D. Cal. Nov. 12,
14 2025) (“The Court agrees with Respondents that the length of Petitioner’s detention to
15 date—almost 12 months—does not by itself, without more, establish prolonged
16 detention in violation of due process.”). Not only does the length of Petitioner’s
17 detention fall comparatively short of the length courts in this district have found to
18 warrant habeas relief, but the other *Lopez* factors do not favor habeas relief either.
19 Second, the likely duration of future detention is neutral as any future orders or decision
20 may result in either little or longer detention periods. Ultimately, Petitioner has primary
21 control over whether her detention will end sooner or later as a function of the
22 completion of her removal proceedings or agreeing to removal. Finally, there is no
23 indication of unreasonable delay in the removal proceedings on the part of the
24 government. Petitioner failed to show for the hearings at the beginning of the removal
25 proceedings, causing a month of delay, and, since her detention, has caused another
26 five months of delay.

27 Balancing the above factors, the record does not support a finding that “detention
28 has become so unreasonable as to require an initial bond hearing,” *Sanchez-Rivera*,

2023 WL 139801, at *6, or an order requiring Petitioner’s release.

Petitioner was lawfully detained when she applied for admission at the port of entry to the United States. As a result, Petitioner is rightly considered an applicant for admission, and her mandatory detention does not violate due process. *See Markov v. LaRose*, No. 25-CV-3811 JLS (SBC), 2026 WL 92069 (S.D. Cal. Jan. 13, 2026) (“Petitioner’s length of detention, without more, does not render his detention unreasonable.”); *Duran Romero v. LaRose*, No. 25-cv-3567-AGS-VET, ECF No. 7 (S.D. Cal. Jan. 14, 2026); *Shahin v. Noem*, No. 25-cv-2496-AGS-KSC, ECF No. 12 (S.D. Cal. Dec. 23, 2025); *Cordova Cordova*, No. 25-cv-2426-BAS-DDL, ECF No. 9 (S.D. Cal. Nov. 14, 2025); *Mendez Ramirez*, 612 F. Supp. 3d at 221; *Gonzalez Aguilar v. Wolf*, 448 F. Supp. 3d at 1212; *de la Rosa Espinoza*, 2020 WL 3452967, at *6-8.

V. CONCLUSION

For the reasons stated herein, Respondents respectfully request that the Court dismiss this petition for failing to state a claim or allege facts upon which this Court may rule or, alternatively, deny this petition on the merits.

Dated: May 20, 2026

Respectfully submitted,

ADAM GORDON
United States Attorney

s/ Michael D. Wallace
MICHAEL D. WALLACE
Assistant United States Attorney
Attorneys for Respondents