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

10
11 ALAM KHURSHAD,

12 Petitioner,

13 v.

14 MARKWAYNE MULLIN, Secretary of
15 the Department of Homeland Security; *et*
al.,

16 Respondents.
17

Case No.: 26-cv-03133-DMS-MSB

RESPONSE TO PETITION

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19 Respondents, by and through counsel, hereby respond to the Petition for Writ of
20 Habeas Corpus. Undersigned counsel is unable to ascertain sufficient facts at this time to
21 establish that there is a significant likelihood of removal in the reasonably foreseeable
22 future. *See Zadvydas v. Davis*, 533 U.S. 678 (2001). Respondents therefore acknowledge
23 that Petitioner is entitled to be released from custody subject to conditions of supervision.
24 *See* 8 U.S.C. § 1231(a)(3); 8 C.F.R. § 241.13(h)(1); *Ba v. Lyons*, No. 25-cv-2871-CAB-
25 BJW, 2026 WL 218936, at *1 (S.D. Cal. Jan. 27, 2026) (“The habeas statute does not
26 empower courts to manage ICE supervision programs.”) (citing 28 U.S.C. § 2241(c)(3));
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1 *Khachikian v. Casey*, No. 25-cv-3737-GPC-JLB, ECF No. 13 (S.D. Cal. Jan. 13, 2026)
2 (“Ultimately, ICE has discretion to impose conditions on release.”).

3 DATED: June 1, 2026

ADAM GORDON
United States Attorney

5 s/ Camille Savedra
6 CAMILLE SAVEDRA
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