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UNITED STATES DISTRICT COURT

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SOUTHERN DISTRICT OF CALIFORNIA

12 WOSBLEY ISAAC VASQUEZ
13 GONZALES,

14 Petitioner,

15 v.

16 WARDEN, IMPERIAL REGIONAL
17 DETENTION FACILITY, et al.,

18 Respondents.
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Case No.: 26-cv-03121-CAB-AHG

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

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2 Petitioner has filed a habeas petition under 28 U.S.C. § 2241. The government has
3 carefully reviewed this petition and determined that the legal issues presented concern the
4 statutory authority for U.S. Immigration and Customs Enforcement's (ICE) detention of
5 Petitioner under 8 U.S.C. §§ 1225(b)(2)(A) or 1226(a). While reserving all rights, including
6 the right to appeal, the government respectfully submits this abbreviated response to
7 preserve the legal issues, to conserve judicial and party resources, and to expedite the
8 Court's consideration of this matter.

9 It is the government's position that Petitioner is subject to mandatory detention under
10 § 1225(b)(2). However, the government acknowledges that this Court, and Courts in this
11 District, have repeatedly reached the opposite conclusion under the same and/or similar
12 facts. *See, e.g., Arias Torres v. Bondi*, No. 25-cv-2457-BAS-MSB, 2025 WL 3214773
13 (S.D. Cal. Nov. 18, 2025); *Martinez Lopez v. LaRose*, No. 25-cv-2717-JES-AHG, 2025
14 WL 3030457 (S.D. Cal. Oct. 30, 2025); *Beltran v. Noem*, No. 25cv2650-LL-DEB, 2025
15 WL 3078837 (S.D. Cal. Nov. 4, 2025); *Garcia v. Noem*, 803 F. Supp. 3d 1064 (S.D. Cal.
16 2025); *Esquivel-Ipina v. LaRose*, No. 25-CV-2672 JLS (BLM), 2025 WL 2998361 (S.D.
17 Cal. Oct. 24, 2025); *Lucas-Miguel v. LaRose*, No. 25-cv-3022-RSH-JLB, 2025 WL
18 3251580 (S.D. Cal. Nov. 21, 2025); *Vasquez-Diaz v. LaRose*, No. 25-cv-3038-TWR-JLB,
19 ECF No. 6 (S.D. Cal. Nov. 13, 2025); *Cardoso v. LaRose*, No. 25-cv-3043-BJC-VET, ECF
20 No. 7 (S.D. Cal. Dec. 12, 2025); *Maceda-Garcia v. Noem*, No. 25-cv-2968-JO-JLB, ECF
21 No. 9 (S.D. Cal. Nov. 13, 2025); *A.S. v. LaRose*, No. 25-cv-2876-RBM-VET, ECF No. 9
22 (S.D. Cal. Nov. 19, 2025); *Prieto-Cordova v. LaRose*, No. 25-cv-2824-CAB-DDL, 2025
23 WL 3228953 (S.D. Cal. Nov. 19, 2025); *Lagarda-Vega v. Noem*, No. 25-cv-2970-GPC-
24 DDL, 2025 WL 3558931 (S.D. Cal. Dec. 11, 2025); *Nayyer v. LaRose*, No. 25-cv-3111-
25 AGS-DDL, ECF No. 7 (S.D. Cal. Dec. 12, 2025); *Amaya v. Noem*, No. 25cv2892-BTM-
26 DEB, 2025 WL 3182998 (S.D. Cal. Nov. 13, 2025).

27 The government acknowledges that this Court's prior decisions will control the
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1 result here if the Court adheres to its prior decisions, as the facts are not materially
2 distinguishable for purposes of the Court's decision, and on that basis the government does
3 not oppose the petition and defers to the Court on the appropriate relief.¹

4 DATED: May 28, 2026

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7 ANTONIO ESTRADA
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¹ To the extent the Court issues an order directing a bond hearing under 1226(a), considering heavy caseloads and staffing levels, Respondents respectfully request that such order provide the government 14 days from issuance to hold such bond hearing.