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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

CHRISTIAN NTEH SAMGWAA,

Petitioner,

v.

MARKWAYNE MULLIN, Secretary of the Department of Homeland Security, et al.

Respondents.

No.: 26-cv-3324-BAS-MSB

Traverse in support of petition for writ of habeas corpus

[Civil Immigration Habeas, 28 U.S.C. § 2241]

In his amended petition, Mr. Samgwaa explained that he is a citizen of Cameroon who was paroled into the United States on February 22, 2023, and was applying for asylum in removal proceedings. But on October 30, 2025, ICE agents told him to come in for a check in and arrested him without any notice or explanation.

In their return, Respondents do not address or deny the regulatory and due process violations on the merits and state that they "do not oppose the petition." ECF No. 10 at 1–3. However, Respondents claim that "a bond hearing is the appropriate remedy as Petitioner was detained by ICE as a result of failing to appear to two of his check-in appointments." ECF No. 10 at 3.

But Respondents provide no evidence that Mr. Samgwaa "fail[ed] to appear to two of his check-in appointments." By contrast, in his amended petition, Mr. Samgwaa attached a declaration stating that he was "attending all his court hearings and check-in appointments." ECF No. 7, Exhibit A at ¶ 3. Mr. Samgwaa also explained that on October 29, 2025, he received a call from ICE telling him that he needed to check in the next day and that he complied with this request. *Id.* at ¶ 4. When Mr. Samgwaa asked why they were arresting him, they "wouldn't say." *Id.* at ¶ 4. Finally, they claimed that he had committed a "violation," but they "wouldn't tell him what this violation was." *Id.* at ¶ 4. In other words, Respondents have repeatedly accused Mr. Samgwaa of failing to attend a check-in appointment but have never provided any proof.

Even if they had, Respondents never explain why this would transform the remedy for their regulatory violation to a bond hearing, rather than release. As other courts have unanimously held, release is the proper remedy for the unlawful revocation of parole.[1] Thus, this Court should grant the petition and order Mr. Samgwaa's immediate release.

[1] *See, e.g., Arias v. Larose*, No. 3:25-CV-02595-BTM-MMP, 2025 WL 3295385, at *3 (S.D. Cal. Nov. 25, 2025); *Noori v. LaRose*, No. 25-cv-1824-GPC-MSB,

Respectfully submitted,

Dated: June 22, 2026

s/ Kara Hartzler

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2025 WL 2800149 (S.D. Cal. Oct. 1, 2025); *Salazar v. Casey*, No. 25-cv-2784 JLS-VET, 2025 WL 3063629 (S.D. Cal. Nov. 3, 2025); *Perez v. LaRose*, No. 25-cv-02620-RBM-JLB, 2025 WL 3171742 (S.D. Cal. Nov. 13, 2025); *Y-Z-L-H v. Bostock*, No. 25-cv-965-SI, 2025 WL 1898025, at *13 (D. Or. July 9, 2025).