HANNAH BASALONE
Cal. Bar No. 368332
Federal Defenders of San Diego, Inc.
225 Broadway, Suite 900
San Diego, California 92101-5030
Telephone: (619) 234-8467
Facsimile: (619) 687-2666
hannah_basalone@fd.org

Attorneys for Mr. Gregorio-Rodriguez

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

RODRIGO GREGORIO-RODRIGUEZ,

Petitioner,

v.

MARKWAYNE MULLIN, Secretary of the Department of Homeland Security, TODD BLANCHE, Acting Attorney General, TODD M. LYONS, Acting Director, Immigration and Customs Enforcement, JESUS ROCHA, Acting Field Office Director, San Diego Field Office, CHRISTOPHER LAROSE, Warden of Otay Mesa Detention Center,

Respondents.

Case No.: 26-cv-3314-DMS-DEB

Traverse in Support of Unopposed Amended Petition for Writ of Habeas Corpus

In response to Mr. Gregorio-Rodriguez's Amended Petition, the government concedes that Mr. Gregorio-Rodriguez was released "from immigration custody under unspecified parole." ECF No.11 at 1. It also "acknowledges that this Court, and Courts in this District, have repeatedly ordered release under the same and/or similar facts." ECF No. 11 at 2. Since "the facts are not materially distinguishable for purposes of the Court's decision, then the government acknowledges that Petitioner is entitled to be released from

custody pursuant to § 1231(a)." ECF 11 at 2. *See Gharakhan v. Noem*, 26-CV-2879-DMS-AHG, 2025WL 3539161 (S.D. Cal. Dec. 10, 2025); *Guarin v. LaRose*, 25-CV-3085-DMS-VET, 2025 WL 3751704 (S.D. Cal. Dec. 29, 2025).

Mr. Gregorio-Rodriguez thus requests this Court grant his requested relief:

1. Order Respondents to immediately release Petitioner from custody under the same conditions of his preexisting release;
2. Order Respondents to return all property obtained from Petitioner during his recent arrest; and
3. Order Respondents to not cause Petitioner to be re-detained during the pendency of his immigration proceedings without prior leave of this Court.

Respectfully submitted,

Dated: June 25, 2026

/s/ Hannah Basalone

Hannah Basalone
Federal Defenders of San Diego, Inc.
Attorneys for Mr. Gregorio-Rodriguez
Email: hannah_basalone@fd.org