

1 ERIC GRANT
United States Attorney
2 ANTHONY ANDREWS
Assistant United States Attorney
3 2500 Tulare Street, Suite 4401
Fresno, California 93721
4 Telephone: (559) 497-4000

5 Attorneys for Respondent

6
7 UNITED STATES DISTRICT COURT
8 EASTERN DISTRICT OF CALIFORNIA
9

10 YOVANI MADAI BARRIOS MORALES,

11 Petitioner,

12 v.

13 MARKWAYNE MULLIN, *et al.*,

14 Respondents.
15

CASE NO. 1:26-cv-05084-EJD (HC)

ANSWER AND OPPOSITION TO PETITION FOR
WRIT OF HABEAS CORPUS

16
17 This case is in the category of immigration habeas cases for which the Court has typically
18 ordered immediate release. Respondents request to submit on this pleading alone without additional
19 documentation or briefing and request that the Court rule on the Petition in its entirety. *See* Exhibits 1-7
20 for background.

21 Respondents' position is that Petitioner entered the United States illegally. Petitioner is thus an
22 "applicant for admission" who is subject to mandatory immigration detention under 8 U.S.C. § 1225(b).
23 *Joaquin Herrera Avila v. Bondi*, No. 25-3741 (8th Cir. March 25, 2026); *Buenrostro-Mendez v. Bondi*,
24 No. 25-20496, 2026 WL 323330, at *1 (5th Cir. Feb. 6, 2026); *see also Cortes Alonzo v. Noem*, 1:25-cv-
25 01519-WBS-SCR at Dkt. 14 (E.D. Cal. Nov. 17, 2025). Petitioner does not possess a right to freedom

26 ///

27 ///

28 ///

1 from immigration detention in any form other than the form provided by Congress. *Shaughnessy v.*
2 *United States ex rel. Mezei*, 345 U.S. 206, 212 (1953), *reaffirmed in DHS v. Thuraissigiam*, 591 U.S.
3 103, 139 (2020).

4
5 DATED: July 16, 2026

Respectfully submitted,

6 ERIC GRANT
7 United States Attorney

8 By: /s/ Anthony Andrews
9 ANTHONY ANDREWS
Assistant United States Attorney