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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

ELSHAD SULEYMANOV, Petitioner, v. CHRISTOPHER J. LAROSE, *et al.*, Respondents.	Case No.: 26-cv-03878-JO-SBC **RETURN TO PETITION FOR WRIT OF HABEAS CORPUS**

Petitioner has filed a habeas petition under 28 U.S.C. § 2241. Further, the Court has ordered that Respondent's return "identify and address any individualized concerns regarding Petitioner's danger to the community or flight risk, including the factual basis for any such concerns."

As to the risk of flight, Petitioner has been ordered removed to Azerbaijan by an immigration judge. *See* Exhibit 1 (IJ Removal Order). Further, Petitioner illegally crossed the international boundary on June 19, 2025 without being inspected by an immigration officer. *See* Exhibit 2 (Form I-213).

Petitioner is subject to mandatory detention under 8 U.S.C. § 1225(b). *See Jennings v. Rodriguez*, 583 U.S. 281 (2018). However, the government acknowledges that courts in this District have repeatedly inferred a constitutional right against prolonged mandatory detention under 8 U.S.C. § 1225(b). Taking into consideration those prior rulings and the length of time Petitioner has been in custody, the government concedes that this Court should order that Petitioner receive a bond hearing, where the government would bear the burden of proof of establishing, by clear and convincing evidence, that Petitioner poses a danger to the community or a risk of flight. *See Sadeqi v. LaRose*, 809 F. Supp. 3d 1090 (S.D. Cal. Nov. 12, 2025); *Gao v. LaRose*, 805 F. Supp. 3d 1106 (S.D. Cal. Sept. 26, 2025).

DATED: July 14, 2026

Respectfully submitted,

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s/ Jacob T. Metzger
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