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UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

RESHAM SINGH, Petitioner, v. TONYA ANDREWS, *et al.*, Respondents.	CASE NO. 1:26-cv-05297-JLT-EGC (HC) ANSWER AND OPPOSITION TO PETITION FOR WRIT OF HABEAS CORPUS; OPPOSITION TO MOTION FOR TEMPORARY RESTRAINING ORDER

This case is in the category of immigration habeas cases for which the Court has typically ordered immediate release. Respondents request to submit on this pleading alone without additional documentation or briefing and request that the Court rule on the Petition in its entirety. *See* Exhibits 1-3 as background. Respondents do not request a hearing and do not oppose converting the request for a TRO to a motion for preliminary injunction without further briefing.

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

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

DATED: July 16, 2026

Respectfully submitted,

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By: */s/ Anthony Andrews*
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