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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

YADER ISMAEL HERNANDEZ-SEQUEIRA, Petitioner, v. WARDEN, Imperial Regional Detention Facility; DANIEL A. BRIGHTMAN, San Diego ICE Field Office Director; DAVID J. VENTURELLA, Acting ICE Director; MARKWAYNE MULLIN, Secretary of Homeland Security; TODD BLANCHE, Acting Attorney General; and DAREN K. MARGOLIN, EOIR Director, all in their official capacities, Respondents.	Case No. 3:26-cv-03969-DMS-GC **PETITIONER'S NOTICE OF SUBMISSION AND WAIVER OF REPLY** (Immigration Detention) **EXPEDITED CONSIDERATION REQUESTED**

1. Petitioner respectfully advises the Court that he will not file a further reply to Respondents' Return, ECF No. 4, and stands on his verified Petition and exhibits. Briefing is complete, and the matter is ripe for decision. Petitioner respectfully requests expedited ruling. 28 U.S.C. § 2243.

2. The Return does not oppose the Petition. It raises no jurisdictional, exhaustion, or procedural defense, controverts none of the Petition's factual allegations, and attaches no evidence. Petitioner therefore renews his request for the primary relief sought: immediate and unconditional release. Pet. Prayer ¶ e. The Return does not oppose that remedy; it defers to the Court, and its requests speak only "[t]o the extent the Court issues an order directing a bond hearing under 1226(a)." ECF No. 4 at 3 n.2.

3. Should the Court instead direct a bond hearing, Petitioner respectfully requests that the order track the Petition's prayer: a hearing within seven days, *see Pineda v. Warden of Imperial Reg'l Det. Facility*, No. 3:26-cv-01801-GPC-AHG (S.D. Cal. Mar. 27, 2026) (seven days, same facility); allocation of the burden to the government by clear and convincing evidence, given that this is a re-detention following the government's own release and more than three years of unbroken compliance rather than an initial custody determination, *see* Pet. ¶¶ 56-60; *Morrissey v. Brewer*, 408 U.S. 471, 482 (1972); *Singh v. Holder*, 638 F.3d 1196, 1203, 1208 (9th Cir. 2011); consideration of Petitioner's financial circumstances and alternatives to detention, *Hernandez v. Sessions*, 872 F.3d 976, 1000 (9th Cir. 2017); automatic release if no timely hearing occurs; and the anti-re-detention provision, Pet. Prayer ¶ i, which the Return's express reservation of Respondents' § 1225(b)(2) position makes necessary to the effectiveness of any judgment.

4. Petitioner is available for any proceeding the Court may set.

Dated: July 20, 2026

Respectfully submitted,

/s/ Deron Smallcomb

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