ADAM GORDON
United States Attorney
MICHAEL D. WALLACE
Assistant United States Attorney
Maryland Bar No. 991216256
Office of the U.S. Attorney
880 Front Street, Room 6293
San Diego, CA 92101-8893
Telephone: 619-546-8714
Email: michael.wallace4@usdoj.gov

Attorneys for Respondents

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

BLANCA GLORIA VENTURA-CABALLERO, Petitioner, v. CHRISTOPHER J. LAROSE, et al., Respondents.	Case No.: 26-cv-3978-BJC-DEB **RESPONSE TO PETITION**

Petitioner has filed a habeas petition under 28 U.S.C. § 2241. The government has carefully reviewed this petition and determined that the legal issues presented concern the statutory authority for U.S. Immigration and Customs Enforcement's (ICE) detention of Petitioner under 8 U.S.C. §§ 1225(b)(2)(A) or 1226(a). While reserving all rights, including the right to appeal, the government respectfully submits this abbreviated response to preserve the legal issues, to conserve judicial and party resources, and to expedite the Court's consideration of this matter.

It is the government's position that Petitioner is subject to mandatory detention under § 1225(b)(2). However, the government acknowledges that Petitioner appears to be a

member of the Bond Eligible Class certified in *Maldonado Bautista v. Santacruz*, 813 F. Supp. 3d 1084 (C.D. Cal. 2025). The Ninth Circuit has stayed application of the Order beyond the Central District of California. However, Respondents acknowledge the prior orders from this District directing bond hearings pursuant to 8 U.S.C. § 1226(a) in similar cases. Respondents therefore do not oppose an order from this Court directing a bond hearing be held pursuant to 8 U.S.C. § 1226(a) at which the burden is on Petitioner to show that she is not a danger to the community or a flight risk.[1]

Petitioner's contact with law enforcement is not limited to the "school attendance misunderstanding." She was arrested and convicted on April 6, 2026, for knowingly making and uttering a worthless check in the amount of $2,200 for which she was sentenced to 15 days of imprisonment. Ex. 1 (NC conviction). She was then released into ICE custody on April 8, 2026. A period of incarceration followed by her present detention in ICE custody should be apparent to the Petitioner but, not only does she fail to bring this conviction to the Court's attention, she repeatedly denies any criminal history throughout her petition. *See* ECF No. 1 at ¶¶ 2, 4, 7, 41, 43, 44, 51, 61, 68, 73, 79 and 84.

DATED: July 17, 2026

ADAM GORDON
United States Attorney

s/ Michael D. Wallace
MICHAEL D. WALLACE
Assistant United States Attorney

[1] To the extent the Court issues an order directing a bond hearing under 1226(a), considering heavy caseloads and staffing levels, Respondents respectfully request that such order provide the government 14 days from issuance to hold such bond hearing. The Ninth Circuit has confirmed that at a bond hearing under 8 U.S.C. § 1226(a), the burden is on the detainee to demonstrate by a preponderance of the evidence that he is not a flight risk or danger to the community. *See Rodriguez Diaz v. Garland*, 53 F.4th 1189, 1197 (9th Cir. 2022); *see also Dos Santos v. Becerra*, No. 26-cv-01423-GPC-VET, 2026 WL 800201 (S.D. Cal. Mar. 23, 2026).