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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

HONGHUA CAO,

Petitioner,

v.

MARKWAYNE MULLIN, Secretary of the Department of Homeland Security, TODD BLANCHE, Acting Attorney General, TODD M. LYONS, Acting Director, Immigration and Customs Enforcement, JESUS ROCHA, Acting Field Office Director, San Diego Field Office, JEREMY CASEY, Warden at Imperial Regional Detention Center,

Respondents.

No.: 26-cv-4132-LEK-JLB

Traverse in support of unopposed petition for writ of habeas corpus

In their supplemental response filed today, Respondents "acknowledge[] that Petitioner is entitled to be released from custody subject to conditions of supervision" set by ICE under "8 U.S.C. § 1231(a)(3); 8 C.F.R. § 241.13(h)(1)." ECF No. 4 at 1.

This Court should thus grant Mr. Cao's habeas petition and order his requested relief, ECF No. 1 at 14:

1. Enjoin Respondents to immediately release Petitioner from custody with all his property under conditions set by Respondents under 8 U.S.C. § 1231(a)(3) unless Respondents obtain a travel document for his removal; and
2. Enjoin Respondents from removing Petitioner to a third country unless they provide the following process:
   a. written notice to both Petitioner and Petitioner's counsel in a language Petitioner can understand;
   b. a meaningful opportunity, and a minimum of ten days, to raise a fear-based claim for CAT protection prior to removal;
   c. if Petitioner is found to have demonstrated "reasonable fear" of removal to the country, Respondents must move to reopen Petitioner's immigration proceedings;
   d. if Petitioner is not found to have demonstrated a "reasonable fear" of removal to the country, a meaningful opportunity, and a minimum of fifteen days, for the Petitioner to seek reopening of his immigration proceedings.

Respectfully submitted,

Dated: July 27, 2026

s/ Jessie Agatstein

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