ADAM GORDON
United States Attorney
ANTONIO ESTRADA
Special Assistant U.S. Attorney
California Bar No. 321247
Office of the U.S. Attorney
880 Front Street, Room 6293
San Diego, CA 92101-8893
Telephone: (619) 546-8664
Email: Antonio.Estrada@usdoj.gov

Attorneys for Respondents

**UNITED STATES DISTRICT COURT**

**SOUTHERN DISTRICT OF CALIFORNIA**

FRANKLIN GERARDO ALEXANDER AGUILAR PEREZ,

Petitioner,

v.

CHRISTOPHER, LAROSE, et al.,

Respondents.

Case No.: 26-cv-04348-JO-BJW

**RESPONSE TO PETITION**

**A. Respondent's Habeas Petition Should be Dismissed as Moot**

Petitioner has filed a habeas petition under 28 U.S.C. § 2241. "[A] moot petition must be dismissed because nothing remains before the Court to be remedied." *See Ramirez v. Benov*, No. 13-cv-01906 AWI MJ, 2014 WL 3529779, at *1 (E.D. Cal. July 15, 2014) (citing *Spencer v. Kemna*, 523 U.S. 1, 18 (1998). Here, Petitioner was released from custody on August 5, 2026 before 5 p.m. *See* Declaration of Marielle Ceja. As such, this petition should be dismissed as moot.

DATED: August 5, 2026

ADAM GORDON
United States Attorney

*s/ Antonio Estrada*
ANTONIO ESTRADA
Special Assistant United States Attorney