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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

MOHAMMAD HASSAN YOUSEFI,
Petitioner,
v.
CHRISTOPHER J. LAROSE, Senior Warden,
Otay Mesa Detention Center,
Respondent.

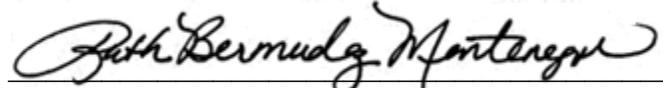
Case No.: 3:26-cv-00272-RBM-VET
**ORDER GRANTING AMENDED
PETITION FOR WRIT OF
HABEAS CORPUS**
[Doc. 12]

On February 13, 2026, the Court denied without prejudice Petitioner Mohammad Hassan Yousefi’s (“Petitioner”) Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (“Petition”) because Immigration and Customs Enforcement (“ICE”) had secured Petitioner’s Iranian passport and scheduled him for a removal flight. (Doc. 6 at 2–6.) On March 6, 2026, Respondents filed a Status Report indicating that “[d]ue to the current conflict, removal flights to Iran have temporarily ceased.” (Doc. 7 at 1.) On March 18, 2026, Petitioner filed a Second Amended Petition for Writ of Habeas Corpus (“Amended Petition”), arguing that his detention is not significantly likely in the reasonably foreseeable future as required by *Zadvydas v. Davis*, 533 U.S. 678 (2001). (See generally Doc. 12.) On March 24, 2026, Respondents filed their Return to Amended Petition, conceding that “there is no significant likelihood of removal in the reasonably foreseeable future” and that the “proper remedy is release of the Petitioner from custody under 8 U.S.C. § 1231(a)(6), subject to conditions imposed by ICE under 8 U.S.C. § 1231(a)(3).” (Doc. 13 at 1.)

1 In light of Respondents' concession, the Court **GRANTS** the Amended Petition
2 (Doc. 12). Respondents are **ORDERED** to immediately release Petitioner from custody
3 under 8 U.S.C. § 1231(a)(6), subject to conditions imposed by ICE under 8 U.S.C.
4 § 1231(a)(3). Respondents are **ENJOINED** from re-detaining Petitioner under 8 U.S.C.
5 § 1231(a)(6) unless and until Respondents obtain a travel document to effectuate his
6 removal and removal flights to Iran have resumed. *Accord Nigiematulina v. Noem*, Case
7 No. 26-cv-00359-BAS-BJW, 2026 WL 555591, at *1 (S.D. Cal. Feb. 27, 2026); *Martinez*
8 *v. Noem*, Case No.: 25-cv-2740-BJC-BJW, 2025 WL 3171738, at *6 (S.D. Cal. Nov. 13,
9 2025).

10 **IT IS SO ORDERED.**

11 DATE: March 26, 2026

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13 HON. RUTH BERMUDEZ MONTENEGRO
14 UNITED STATES DISTRICT JUDGE
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