UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 25-20821-CIV-MD

FREDERICO ABREU

Petitioner,

vs.

ZOELLE RIVERA, in her official capacity as ASSISTANT FIELD OFFICER DIRECTOR KROME PROCESSING CENTER; PAM BONDI, in her official capacity as ATTORNEY GENERAL; KRISTI NOEM, in her official capacity as SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY; CALEB VITELLO, in his official capacity as DIRECTOR OF UNITED STATES IMMIGRATION AND CUSTOMS ENFORCMENT

Respondents.
_____/

RESPONDENTS' RETURN AND MEMORANDUM OF LAW

Respondents,[1] by and through the undersigned Assistant U.S. Attorney, hereby respond to the Court's Order to Show Cause. As set forth fully below, the Court should deny the Petition for Writ of Habeas Corpus.

FACTUAL BACKGROUND

[1] A writ of habeas corpus must "be directed to the person having custody of the person detained." 28 USC § 2243. In cases involving present physical confinement, the Supreme Court reaffirmed in *Rumsfeld v. Padilla*, 542 U.S. 426 (2004), that "the immediate custodian, not a supervisory official who exercises legal control, is the proper respondent." *Rumsfeld v. Padilla*, 542 U.S. 426, 439 (2004).

Petitioner is currently detained at the Federal Detention Center on behalf of ICE in Miami, Florida. His immediate custodian is Charles Parra, Assistant Field Office Director. Accordingly, the proper Respondent in the instant case is Mr. Parra, in his official capacity, and all other respondents should be dismissed.

The petitioner, Frederico Abreu ("Petitioner"), is a native and citizen of Brazil. *See* Ex. A, Notice to Appear ("NTA"); *see also* Ex. B, Declaration of Deportation Officer Eric Porrata, ¶ 6. On March 10, 2006, Petitioner was admitted to the United States as a lawful permanent resident. *See* Ex. A, NTA; *see also* Ex. B, Declaration, ¶ 7. Petitioner seeks to be released from detention through the filing of a habeas corpus or alternatively seeks release through a bond. He asserts relief based on asserted violations of 8 U.S.C. § 1226 (a) and (b) and asserts due process and equal protection violations.[2]

On August 29, 2013, Petitioner was convicted in the Superior Court of California for the County of Los Angeles of three counts of Possession of a Controlled Substance with Intent to Sell, in violation of Sections 11378 (methamphetamine), 11351 (gamma-hydroxybutyrate), and 11377 (clonazepam) of the California Health and Safety Code, as well as Forgery in violation of Section 472 of the California Penal Code. *See* Ex. C, California Judgment and Convictions; *see also* Ex. B, Declaration, ¶ 8. Petitioner was sentenced to 226 days of confinement and three years of probation. *See* Ex. C, California Judgment and Convictions; *see also* Ex. B, Declaration, ¶ 9.

On September 13, 2013, Petitioner was encountered by U.S. Immigration and Customs Enforcement ("ICE") at the Los Angeles County Jail and taken into ICE custody pursuant to Section 236(c), 8 U.S.C. § 1226(c), of the Immigration and Nationality Act ("INA"). *See* Ex. D,

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[2] Petitioner complains that he has been precluded from seeing an attorney and that he has not received his medications. With respect to his medications, exhibits U and V reflect that he has received medications for all of his conditions. Regardless, a habeas corpus is not the proper avenue to address conditions of confinement. *See Gomez v. United States*, 899 F.2d 1124, 1126 (11th Cir. 1990) ("The appropriate Eleventh Circuit relief from prison conditions ... is to require the discontinuation of any improper practices ... [it] does not include release from confinement."). Claims challenging conditions of confinement are generally brought pursuant to 42 U.S.C. § 1983, not through habeas corpus. *Cook v. Baker*, 139 F. App'x 167, 168 (11th Cir.2005) (citing *Nelson v. Campbell*, 541 U.S. 637, 643, 124 S.Ct. 2117, 158 L.Ed.2d 924 (2004)).

Additionally, there have been no impediments to Petitioner seeing an attorney in person at the FDC. He has two attorneys and either one could have visited the FDC, but apparently chose not to go in person. Immigration and Customs Enforcement ("ICE") attorneys agreed to facilitate a telephone call, and through the Warden's office, arranged on March 1, 2025 a telephone call with Petitioner's counsel.

I-213, Sept. 16, 2013; *see also* Ex. B, Declaration, ¶ 10. On September 30, 2013, ICE issued Petitioner an NTA, charging him with removability pursuant to Section 237(a)(2)(B)(i), 8 U.S.C. § 1227(a)(2)(B)(i), of the INA as an alien convicted of a controlled substance violation. *See* Ex. A, NTA; *see also* Ex. B, Declaration ¶ 11.

On November 25, 2013, the immigration court held a custody redetermination in Petitioner's case and concluded that it did not have jurisdiction to set a bond. *See* Ex. E, Bond Memorandum; *see also* Ex. B, Declaration ¶ 12. Petitioner appealed this decision to the Board of Immigration Appeals (the "Board") and on March 13, 2014, the Board affirmed the immigration judge's decision and dismissed the appeal. *See* Ex. F, Board Order Dismissing Appeal; *see also* Ex. B, Declaration ¶ 13.

On February 28, 2014, Petitioner was ordered removed by the immigration judge after an immigration hearing, which Petitioner appealed to the Board. *See* Ex. G, Removal Order; *see also* Ex. H, Board Remand; *see also* Ex. B, Declaration ¶ 14. On March 31, 2014, Petitioner's counsel and DHS stipulated to a $20,000 bond. *See* Ex. I, Bond Order; *see also* Ex. B, Declaration ¶ 15; *see also Rodriguez v. Robbins*, 804 F.3d 1060 (9th Cir. 2015), *rev'd Jennings v. Rodriguez*, 583 U.S. 281 (2018). Petitioner was released from ICE custody on April 3, 2014. *See* Ex. B, Declaration, ¶ 16.

On August 22, 2014, the Board remanded Petitioner's case to the immigration court. *See* Ex. H, Board Remand; *see also* Ex. B, Declaration ¶ 17. On December 21, 2015, the immigration court granted a change of venue from Los Angeles to Miami, Florida. *See* Ex. J, Order Granting COV; *see also* Ex. B, Declaration ¶ 18.

On August 24, 2016, Petitioner was convicted in the United States District Court for the Southern District of Florida of Conspiracy to Possess with Intent to Distribute Methamphetamine,

and he was sentenced to 120 months of incarceration. *See* Ex. K, Florida Conviction Records; *see also* Ex. B, Declaration ¶ 19. This sentence was later reduced to 48 months. *See* Ex. L, Order Reducing Sentence; *see also* Ex. B, Declaration ¶ 20. On December 5, 2017, Petitioner's immigration case was administratively closed pending his release from federal custody. *See* Ex. M, Order of Administrative Closure; *see also* Ex. B, Declaration ¶ 21.

On October 20, 2020, the immigration bond was cancelled. *See* Ex. N, Bond Cancellation; *see also* Ex. B, Declaration ¶ 22. On December 23, 2020, Petitioner was released from federal custody. *See* Ex. O, Government's Notification of Release; *see also* Ex. B, Declaration ¶ 23. On the same day, Petitioner was transferred to ICE custody. *See* Ex. B, Declaration ¶ 24. Due to the on-going COVID-19 pandemic, Petitioner was released from ICE custody with reporting conditions. *See id.* at ¶ 25.

On March 4, 2022, DHS filed a motion to recalendar Petitioner's immigration case. *See id.* at ¶ 26. On September 1, 2022, Petitioner appeared before the immigration court with counsel at a master hearing and the case was reset. *See* Ex. B, Declaration ¶ 27. On June 1, 2023, Petitioner appeared before the immigration court with counsel for a merits hearing on Petitioner's application before the court, and the case was continued at his counsel's request. *See* Ex. B, Declaration ¶ 28.

On February 8, 2025, ICE officers apprehended Petitioner during a vehicle stop, and he was taken into ICE custody at the Krome Service Processing Center ("Krome"). *See* Ex. P, 1-200, Warrant for Arrest of Alien; *see also* Ex. Q, 1-286, Notice of Custody Determination; *see also* Ex. R, I-213, Feb. 8, 2025; *see also* Ex. B, Declaration ¶ 29. On February 12, 2025, Petitioner was transferred to the Federal Detention Center in Miami, Florida, where he was detained pursuant to an interagency agreement on behalf of ICE. *See* Ex. B, Declaration ¶ 30. On the same date, DHS filed a motion to change venue from the Miami Immigration Court to Krome's detained docket.

See Ex. B, Declaration ¶ 31. On February 27, 2025, the immigration court granted the change of venue to Krome. *See* Ex. S, Order Changing Venue; *see also* Ex. B, Declaration ¶ 32. On March 11, 2025, Petitioner filed a motion for bond redetermination with the immigration court. *See* Ex. T, Request for Bond Redetermination; *see also* Ex. B, Declaration ¶ 33. On March 13, 2025, ICE served Petitioner with a superseding NTA. *See* Ex. U, Superseding NTA; *see also* Ex. B, Declaration ¶ 35.

On this date, March 30, 2025, the immigration judge held a bond hearing and denied bond, finding that Mr. Abreu is subject to mandatory detention under INA 236(c). *See*, Ex. X Bond denial.

ANALYSIS

I. PETITIONER'S DETENTION IS LAWFUL AND DOES NOT VIOLATE DUE PROCESS

Petitioner is detained pursuant to 8 U.S.C. § 1226(c), which provides that aliens who have been charged with removability on certain grounds must be detained during removal proceedings. *See Demore v. Kim*, 538 U.S. 510, 523 (2003).[3] Specifically, section 1226(c) states that "[t]heAttorney General *shall take into custody* any alien who" qualifies for mandatory detention. *See* 8 U.S.C. § 1226(c)(1) (emphasis added). The statute prohibits release of aliens whom the Attorney General has taken into custody, except that the Attorney General may make exceptions for certain witness-protection purposes. *See* 8 U.S.C. § 1226(c)(2) (stating that "[t]he

[3] Congress enacted section 1226(c) as part of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 ("IIRIRA"), Div. C, Pub. L. No. 104-208, § 303(b), 110 Stat. 3009-586 (Sept. 30, 1996), in response to evidence that the immigration authorities were unable to remove many criminal aliens because they failed to appear for removal hearings, and also that criminal aliens released on bond often committed additional crimes before they could be removed. *See Demore*, 538 U.S. at 518-20.

Attorney General may release an alien described in paragraph (1) *only if* the Attorney General decides" that release is "necessary" for witness protection) (emphasis added)).

The Supreme Court in *Jennings v. Rodriguez*, 138 S. Ct. 830 (2018), held that the plain text of 8 U.S.C. § 1226(c) (as well as § 1225) mandates detention until the completion of proceedings. *See id.* at 845, 847. The Court also reversed the Ninth Circuit's imposition of specific procedural requirements and concluded:

> The Court of Appeals ordered the Government to provide procedural protections that go well beyond the initial bond hearing established by existing regulations—namely periodic bond hearings every sixth months in which the Attorney General must prove by clear and convincing evidence that the alien's continued detention is necessary. Nothing in § 1226(a)'s text . . . even remotely supports the imposition of those requirements. Nor does § 1226(a)'s text even hint that the length of detention prior to a bond hearing must specifically be considered in determining whether the alien should be released.

Id. at 847-48. In *Sopo v. U.S. Attorney General*, 890 F.3d 952 (11th Cir. 2018), the Eleventh Circuit relied on the canon of constitutional avoidance to hold that there is an implicit temporal limitation to 8 U.S.C. § 1226(c):

> as a matter of constitutional avoidance, we readily join other circuits in holding that § 1226(c) "implicitly authorizes detention for a reasonable amount of time, after which the authorities must make an individualized inquiry into whether detention is still necessary to fulfill the statute's purposes of ensuring that an alien attends removal proceedings and that his release will not pose a danger to the community."

Sopo, 825 F.3d at 1213-14. (internal citation omitted). The court went on to conclude that it construed section 1226(c) "to contain an implicit temporal limitation at which point the government must provide an individualized bond hearing to detained criminal aliens whose removal proceedings have become unreasonably prolonged." *Id.* at 1214. Based on *Jennings*, any constitutional analysis of the statute must acknowledge that the statute unambiguously requires detention for the entirety of the administrative removal process, *see Jennings*, 138 S. Ct. at 847,

and must presume that such detention is constitutional. *See United States v. Morrison*, 529 U.S. 598, 607 (2000) ("Due respect for the decisions of a coordinate branch of Government demands that we invalidate a congressional enactment only upon a plain showing that Congress has exceeded its constitutional bounds.").

B. Mandatory Detention under 8 U.S.C. § 1226(c) does Not Facially Violate Due Process or Equal Protection.

Before *Jennings*, the Supreme Court decided *Demore v. Kim,* 538 U.S. 510 (2003). There, the Court determined that 8 U.S.C. § 1226(c) is constitutional on its face. The Supreme Court held that "Congress, justifiably concerned with evidence that deportable criminal aliens who are not detained continue to engage in crime and fail to appear for their removal hearings in large numbers, may require that persons such as respondent be detained for the brief period necessary for their removal proceedings. In the exercise of its broad power over naturalization and immigration, Congress regularly makes rules that would be unacceptable if applied to citizens." *See, Demore*, 538 U.S. at 511. Indeed, in every case in which detention incident to removal proceedings has arisen, the Supreme Court has concluded that it is constitutional. *Id.*; *see also Reno v. Flores*, 507 U.S. 292, 306 (1993) ("Congress has the authority to detain aliens suspected of entering the country illegally pending their deportation hearings."); *Carlson v. Landon*, 342 U.S. 524, 538 (1952) ("Detention is necessarily a part of this deportation procedure."); *Wong Wing v. United States*, 163 U.S. 228, 235 (1896) ("We think it clear that detention, or temporary confinement, as part of the means necessary to give effect to the provisions for the exclusion or expulsion of aliens would be valid.").

1. Demore upheld the constitutionality of section 1226(c) as applied to a criminal alien whose removal proceedings already lasted more than six months.

In *Demore*, the Supreme Court affirmed the mandatory detention pending removal proceedings of a lawful permanent resident for longer than six months, when he had conceded the

charges against him but was seeking relief from removal. In *Demore*, the alien had already "spen[t] six months" in immigration custody before the Supreme Court upheld the constitutionality of his mandatory detention. 538 U.S. at 531. As a result of the Court's reversal of the decision affirming his release, he was to be returned to custody until removal proceedings were completed, which would take additional time. He had not yet had his removal hearing (because he asked for a continuance), and he could still appeal to the Board if the immigration judge ordered him removed. *Demore*, 538 U.S. at 530-31. Thus, *Demore* itself "implicitly foreclose[s]" the notion that the Constitution mandates a bond hearing near the six-month mark under section 1226(c). *See Reid v. Donelan*, 819 F.3d 486, 497 (1st Cir. 2016).

Demore also rejected the analogy to *Zadvydas v. Davis*, 533 U.S. 678 (2001), that had been the basis for some courts to create a requirement for bond hearings at the six-month mark under section 1226(c) as a matter of statutory interpretation. *See Demore*, 538 U.S. at 516. *Demore* explained that the two situations were "materially different." *Id.* at 527. First, the Supreme Court determined that the detention in *Zadvydas* no longer "serve[d] its purported immigration purpose." *Id.* Aliens are detained after they are ordered removed in order to effectuate their removal, but in *Zadvydas* removal was "no longer practically attainable." *Id.* (quoting *Zadvydas*, 533 U.S. at 690). Other countries had refused to accept the aliens, so there was no country to which to return them. *See Zadvydas*, 533 U.S. at 684, 702. By contrast, the Supreme Court emphasized in *Demore* that detention of criminal aliens "pending their removal proceedings . . . necessarily serves the purpose of preventing [them] from fleeing prior to or during their removal proceedings, thus increasing the chance that, if ordered removed, the aliens will be successfully removed." 538 U.S. at 527-28; *see id.* at 528 (discussing evidence that "large numbers of deportable criminal aliens skipp[ed] their hearings and remain[ed] at large in the United States unlawfully").

Second, *Demore* recognized that *Zadvydas* involved "indefinite" and "potentially permanent" detention because it "ha[d] no obvious termination point." *Demore*, 538 U.S. at 528-29 (quoting *Zadvydas*, 533 U.S. at 690-91, 697). By contrast, "detention pending a determination of removability" is inherently temporary because it has an "obvious termination point" -- the end of removal proceedings. *Id.* at 529 (quoting *Zadvydas*, 533 U.S. at 697); *accord Jennings*, 138 S. Ct. at 846 ("As we made clear [in *Demore*], that 'definite termination point' [(*i.e.*, the conclusion of removal proceedings)]—and not some arbitrary time limit devised by courts—marks the end of the Government's detention authority under § 1226(c)."). Removal proceedings, including appeals to the Board, always end, and the Government expedites removal proceedings for detained aliens to promote their timely conclusion. It follows that the Constitution itself does not impose a specific temporal limitation on mandatory detention under section 1226(c). *Zadvydas* imposed a six-month presumption as a matter of statutory interpretation, not as a constitutional mandate. *Zadvydas* at 699. The justifications for adopting that presumption in *Zadvydas* are absent here because the two cases are "materially different." *Demore*, 538 U.S. at 527. And the Supreme Court in *Zadvydas* did not suggest that the Constitution itself imposed a six-month limitation on the duration of mandatory immigration custody as a general matter. Rather, the Supreme Court concluded that six months was a "presumptively reasonable" time during which detention after entry of a final order of removal continued to serve the particular immigration purpose at issue there: to effectuate the final order that the alien be removed. *Zadvydas*, 533 U.S. at 701. And even then, there was no rigid six-month rule or requirement of a bond hearing. The alien could continue to be detained beyond that point, without a bond hearing, if he failed to provide good reason to believe that there was no significant likelihood of removal in the reasonably foreseeable future (or if the government rebutted the alien's showing). *Id.*

2. The justifications for detaining a criminal alien during removal proceedings continue for the full duration of those proceedings.

Mandatory detention of a criminal alien under section 1226(c) during removal proceedings is constitutional where it continues to "serve its purported immigration purpose." *Demore*, 538 U.S. at 527 (citing *Zadvydas*, 533 U.S. at 690); *see also Flores*, 507 U.S. at 306; *Carlson*, 342 U.S. at 540; *Wong Wing*, 163 U.S. at 235-36; *Demore*, 538 U.S. at 532 (Kennedy, J., concurring). As *Demore* itself illustrates, that detention mandate does not cease to be justified whenever the removal proceedings to which the detention is tied lasts more than six months.

First, the government's interest in effectuating removal of a criminal alien if he is ordered removed at the end of the proceedings does not dissipate at any fixed point. It cannot be conclusively established until the end of removal proceedings whether an alien will be ordered removed, because those proceedings are the "sole and exclusive" means for making that determination. 8 U.S.C. § 1229a(a)(3). The prospect of removal, and the government's interest in effectuating it, thus remain concrete throughout.

Furthermore, the risk that a criminal alien will commit further crimes or otherwise present a danger to the community if released will ordinarily remain constant until removal proceedings are completed. There is no reason to believe that risk would dissipate at any fixed point in time. Similarly, the risk that a criminal alien, if released, will fail to appear for removal proceedings does not dissipate at a fixed point in time. Indeed, the government's interest in keeping the alien in custody (and the alien's incentive to abscond) will typically *increase* over time as removal proceedings progress towards their completion. A criminal alien on the cusp of removal has a greater incentive to abscond than one who is at the beginning of his proceedings. *See Matter of Andrade*, 19 I. & N. Dec. 488, 490 (BIA 1987). Section 1226(c) also does not cease to be justified when a criminal alien makes choices during the proceedings that necessarily add time to the

resolution of his case—and therefore to the detention that Congress found to be a necessary aspect of those proceedings. For example, in *Demore*, the alien's "removal hearing was scheduled to occur" after five months, but the Court noted, "[he] requested and received a continuance to obtain documents relevant to his withholding application." 538 U.S. at 531 n.15. The Supreme Court regarded the additional detention time added by the alien's continuance as fully justified. The Court further noted that, if a criminal alien decided to appeal to the Board, that added time to the duration of removal proceedings—and thus to the accompanying detention under section 1226(c). *See id.* at 529. But the Supreme Court similarly treated the added detention time reasonably consumed in disposing of the appeal as fully justified. The Court stated, "'the legal system . . . is replete with situations requiring the making of difficult judgments as to which course to follow,' and, even in the criminal context, there is no constitutional prohibition against requiring parties to make such choices." *Id.* at 530 n.14 (quoting *McGautha v. California*, 402 U.S. 183, 213 (1971)); *see Chaffin v. Stynchcombe*, 412 U.S. 17, 30-31 (1973). Justice Kennedy's concurrence in *Demore* reflects a similar understanding. In his view, a lawful permanent resident "could be entitled" to a bond hearing "if the continued detention became unreasonable or unjustified." 538 U.S. at 532. But he viewed the constitutionality of continuing detention without a bond hearing as depending on why detention is continuing: if there were an "unreasonable delay *by the [Immigration and Naturalization Service (INS)]* in pursuing and completing deportation proceedings," he explained, it "could become necessary" to ask whether "the detention is not to facilitate deportation, or to protect against risk of flight or dangerousness, but to *incarcerate for other reasons*." *Id.* at 532-33 (emphases added). Justice Kennedy could not draw such an inference, however, "from the circumstances of" *Demore* itself. 538 U.S. at 533.

The clear implication is that the reasonable continuation of removal proceedings occasioned by an alien's choices—including seeking continuances, relief from removal, or appellate review—does not undermine the constitutionality of detention. So long as the added time is reasonably needed to adjudicate the case (not to prolong pointlessly or to punish), the ongoing detention continues to be constitutionally justified by the interests in "protect[ing] against risk of flight or dangerousness." *Id.* at 532-33.

3. The liberty interests of criminal aliens detained under section 1226(c) are ordinarily substantially diminished.

The criminal grounds on which an alien is subject to mandatory detention are also grounds on which the alien is removable from the United States. *See* 8 U.S.C. § 1226(c)(1). Removability ordinarily will have been established, beyond dispute, by the alien's judgment of conviction. However, an alien is entitled to a *Joseph* hearing to seek to establish that the government is substantially unlikely to prevail in demonstrating that his conviction is one that subjects him to mandatory detention. 8 C.F.R. § 1003.19(h)(2)(ii); *Matter of Joseph*, 22 I. & N. Dec. 799 (BIA 1999). Not surprisingly, many criminal aliens detained under section 1226(c) concede they are removable. Thus, while such aliens often nonetheless seek relief from removal, in the vast majority of cases "he or she has no right under the basic immigration laws to remain in this country." *Zadvydas*, 533 U.S. at 720 (Kennedy, J., dissenting); *see Demore*, 538 U.S. at 523 n.6 (distinguishing between being "deportable" and seeking relief from removal that may mean the alien will not "ultimately be deported"). Moreover, such requests are often for discretionary relief, such as cancellation of removal, which is "manifestly not a matter of right under any circumstances, but rather is in all cases a matter of grace." *Jay v. Boyd*, 351 U.S. 345, 354 (1956); *see INS v. Yueh-Shaio Yang*, 519 U.S. 26, 30 (1996) (akin to "a judge's power to suspend the execution of a sentence, or the President's to pardon a convict"). A criminal alien pursuing such

relief notwithstanding that he is removable has greatly diminished due process or equal protection interests in being released into society while that request is being considered.

The government's interest also becomes stronger (and a criminal alien's liberty interest weaker) when an immigration judge has ordered removal. At that point, the government has devoted considerable resources to completing the proceedings, the immigration judge has concluded that the criminal alien is removable and ordered him removed, and further review will ordinarily leave the order intact. If a criminal alien nonetheless makes the "difficult judgment[]" to appeal to the Board, he or she does so knowing that it will extend the removal proceedings and resulting mandatory detention." *Demore*, 538 U.S. at 530 n. 14 (citation omitted).

CONCLUSION

In this instance, while in the United States as a lawful permanent resident, Petitioner was convicted in California in August 2013 of three counts of Possession of a Controlled Substance with Intent to Sell methamphetamine, gamma-hydroxybutyrate, clonazepam and convicted of forgery. He was incarcerated as a result. He was again convicted in the Southern District of Florida of conspiracy to possess with intent to distribute methamphetamine and was again incarcerated. As a result, his immigration bond was cancelled. Petitioner has filed a motion for bond redetermination with the immigration court. On March 30, 2025, the immigration judge held a bond hearing and denied bond, finding that Mr. Abreu is subject to mandatory detention under INA 236(c). Here, Petitioner is unable to establish that his detention, following his conviction for Conspiracy to Possess with Intent to Distribute Methamphetamine, violates Due Process, where he has been detained since February 2025, pending removal proceedings.

It is respectfully submitted that the request for habeas corpus and bond be denied by the Court.

Dated: March 20, 2025

Respectfully submitted,

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