UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

DEIVIS ALEXI GUZMAN CRUZ, **A-[redacted]** *Petitioner*	
v.	Case No. 1:25-CV-2256-PX
KRISTI NOEM, U.S. Secretary of Homeland Security; TODD M. LYONS, in his official capacity as Acting Director, U.S. Immigration and Customs Enforcement; NIKITA BAKER, in her official capacity as Field Office Director of the ICE Baltimore Field Office; VERNON LIGGINS, in his official capacity as Deputy Field Office Director of the ICE Baltimore Field Office; PAMELA BONDI, in her official capacity as U.S. Attorney General, *Respondents*	**AMENDED PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241 AND CIVIL COMPLAINT**

INTRODUCTION

1. Petitioner Deivis Alexi Guzman Cruz ("Mr. Guzman"), a native and citizen of El Salvador, challenges his detention in the custody of Immigration and Customs Enforcement ("ICE") to be an unconstitutional and unjustified deprivation of his physical liberty in violation of procedural due process, and seeks immediate relief from this Court.

2. Mr. Guzman is being detained and potentially deported in violation of his right to due process, namely that he is being prevented from applying for relief from removal for which he is eligible. Mr. Guzman is a derivative eligible for special rule cancellation of removal under the Nicaraguan Adjustment and Central American Relief Act ("NACARA") and the settlement in *American Baptist Churches v. Thornburgh*, 760 F. Supp. 796 (N.D. Cal. 1991) ("ABC"); *see* 8 C.F.R. § 1240.61 [hereinafter "NACARA Section 203"].

3. Under NACARA, Mr. Guzman is eligible to have his removal cancelled and to become a lawful permanent resident because is a qualified family member of an individual (his father) who first entered the United States on or before September 19, 1990; registered for ABC benefits on or before October 31, 1991 (either directly or by applying for Temporary Protected Status (TPS)); applied for asylum on or before February 16, 1996; and was not apprehended at time of entry after December 19, 1990.

4. Mr. Guzman was born in 1985, and his father received lawful permanent resident status through an application for NACARA on May 21, 2001. Mr. Guzman was unmarried at that time, and so he is eligible as a derivative for special rule cancellation under NACARA.

5. However, special rule cancellation of removal under NACARA is only available to Mr. Guzman in removal proceedings under 8 U.S.C. § 1229a before the Immigration Court. Under 8 C.F.R. § 1240.62, "[t]he Immigration Court shall have exclusive jurisdiction over an application for suspension of deportation or special rule cancellation of removal . . . by an alien who has been served . . . Form I-862, Notice to Appear, after a copy of the charging document has been filed with the Immigration Court[.]" Accordingly, Mr. Guzman requested an NTA be issued to place him into removal proceedings.

6. Upon information and belief, a pattern and practice exists for Respondents DHS to issue a Notice to Appear ("NTA") and place non-citizens eligible for NACARA special rule cancellation into removal proceedings.

7. Mr. Guzman was detained by Respondents in Baltimore on July 11, 2025. He has not been issued an NTA, but instead he is being processed for expedited removal under 8 U.S.C. § 1225(b) or having a prior removal reinstated under 8 U.S.C. § 1231(a)(5).

8. By not issuing him an NTA or otherwise holding a hearing before the immigration court, Respondents have effectively deprived Mr. Guzman of an opportunity to seek relief from removal for which he is *prima facie* qualified, detained him in spite of bona fide relief before USCIS, and instead now seek to deport him despite multiple avenues for relief.

JURSIDICTION AND VENUE

9. At the time of filing the petition, Mr. Guzman was detained at the ICE Baltimore Field Office which is within the District of Maryland. Since that time, Mr. Guzman has been transferred to an unknown location. Upon information and belief, Mr. Guzman is detained at the Winn Correctional Center in Winnfield, Louisiana.[1]

10. This action arises under the Suspension Clause, the Due Process Clause of the Fifth Amendment, the Immigration and Nationality Act ("INA"), 8 U.S.C. § 1101 *et seq.*, NACARA, Pub. Law. 105-100 (1997), and 8 C.F.R. § 1240.65.

11. This Court has subject-matter jurisdiction under U.S. CONST. art. 1, § 9, cl. 2 (Suspension Clause), 28 U.S.C. § 2241 (habeas corpus), 28 U.S.C. § 1346 (civil actions against the United States), 28 U.S.C. § 1651 (All Writs Act), and 28 U.S.C. §§ 2201-02 (declaratory relief), as Mr. Hernandez is presently held in custody under or by color of the authority of the United States. His detention by Respondents is a "severe restraint" on his individual liberty "in custody in violation of the . . . laws . . . of the United States." *See Hensley v. Municipal Court, San Jose-Milpitas Jud. Dist.*, 411 U.S. 345, 351 (1973).

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[1] As of the time of filing this Amended Petition, the ICE Locator still does not show any results when searching for Mr. Guzman.

12. In addition to the habeas protections in the Constitution and Immigration and Nationality Act ("INA"), federal district courts have subject matter jurisdiction under 28 U.S.C. § 1331 (federal questions) to hear claims by individuals challenging the lawfulness of agency action.

13. Venue is proper because Mr. Hernandez was detained within the District as of filing his Petition on July 11, 2025.

PARTIES

14. Petitioner Deivis Alexi Guzman Cruz is a native and citizen of El Salvador. Upon information and belief, he is detained in ICE custody at the Winn Correctional Center in Winnfield, Louisiana.

15. Respondent Kristi Noem is the Secretary of Homeland Security, and in that capacity is responsible for the Department of Homeland Security and all sub-cabinet agencies of DHS, including ICE and USCIS. She is sued in her official capacity.

16. Respondent Todd M. Lyons is the Acting Director of Immigration and Customs Enforcement, responsible for ICE's detention and removal operations among all its other functions. He is sued in his official capacity.

17. Respondent Nikita Baker is the Field Office Director of the ICE Baltimore Field Office and is responsible for ICE's operations in Maryland. Upon information and belief, she is the immediate custodian of Mr. Guzman who is held in the Baltimore Holding Facility. She is sued in her official capacity.

18. Respondent Vernon Liggins is the Deputy Field Office Director of the ICE Baltimore Field Office and is responsible for ICE's operations in Maryland. He is sued in her official capacity.

19. Respondent Pamela Bondi[2] is the U.S. Attorney General and in that capacity oversees the Executive Office for Immigration Review, which includes the immigration court. She is sued in her official capacity.

STATEMENT OF FACTS

20. Mr. Guzman is a native and citizen of El Salvador. He has been living in the United States for several decades. On April 6, 2009, an Immigration Judge at the Baltimore Immigration Court granted Mr. Guzman voluntary departure from the United States. Mr. Guzman departed the U.S. He then reentered the United States in July 2012. Mr. Guzman was processed for expedited removal and removed to El Salvador. Mr. Guzman subsequently returned to the United States.

21. On May 21, 2001, Mr. Guzman's father, Mario Reyes Sorto, adjusted to become a lawful permanent resident through NACARA.

22. As of May 21, 2001, Mr. Guzman was an unmarried minor and therefore qualifies as a NACARA derivative. *See* 8 C.F.R. § 1240.61.

23. On May 14, 2020, Mr. Guzman filed Form I-918, Petition for U-1 Nonimmigrant Status and Form I-192, Application for Advance Permission to Enter as a Nonimmigrant with U.S. Citizenship and Immigration Services ("USCIS"). Upon information and belief, Mr. Guzman was found to have a *bona fide* case for his U status and granted deferred action by USCIS. Upon information and belief, Mr. Guzman was then placed on an order of supervision ("OSUP") by ICE with regularly scheduled check-ins and a GPS ankle monitor.

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[2] Attorney General Pamela Bondi is added as a party in this Amended Complaint.

24. On July 11, 2025, Mr. Guzman appeared for a scheduled check-in with ICE in Baltimore. At that appointment, Mr. Guzman was taken into custody. Upon information and belief, ICE then revoked his order of supervision and USCIS rescinded his deferred action.[3]

25. Mr. Guzman remains in ICE custody, though he has since been transferred out of the Baltimore Hold Cells.

26. Under 8 C.F.R. § 1240.62, "[t]he Immigration Court shall have exclusive jurisdiction over an application for suspension of deportation or special rule cancellation of removal . . . by an alien who has been served . . . Form I-862, Notice to Appear, after a copy of the charging document has been filed with the Immigration Court[.]" Therefore, Mr. Guzman must be in removal proceedings before the immigration court to apply for special rule cancellation of removal.

27. On July 11, 2025, Mr. Guzman notified ICE he is eligible as a NACARA derivative for special rule cancellation of removal and requested he be issued a NTA to he may apply. *See* 8 C.F.R. § 1240.61.

28. Upon information and belief, a pattern and practice exists for Respondents DHS to issue a Notice to Appear ("NTA") and place non-citizens eligible for NACARA special rule cancellation into removal proceedings.

29. Rather than issuing a NTA, ICE has instead processed Mr. Guzman for expedited removal under 8 U.S.C. § 1225(b). *See* 8 U.S.C. §1225(b)(1)(A)(iii)(II) (describing an arriving alien subject to expedited removal as a noncitizen "who has not been admitted or paroled into the United States, and who has not affirmatively shown, to the satisfaction of an immigration officer,

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[3] Without having received any paperwork or information, it is unclear how USCIS rescinded Mr. Guzman's deferred action at the time of his detention.

that the alien has been physically present in the United States continuously for the 2-year period immediately prior to the date of the determination of inadmissibility under this subparagraph."); 8 U.S.C. § 1231(a)(5) (authorizing the reinstatement of prior orders of removal).

30. However, under 8 C.F.R. § 1241.8(d), reinstatement of removal orders is not permissible where a noncitizen is an applicant for NACARA. "The immigration officer may not reinstate the prior order in accordance with this section unless and until a final decision to deny the application for adjustment has been made. If the application for adjustment of status is granted, the prior order shall be rendered moot." 8 C.F.R. § 1241.8(d).

31. Moreover, Mr. Guzman should not be processed for expedited removal as Respondents have knowledge that Mr. Guzman has been in the country since at least May 14, 2020. *See supra* at ¶ 23.

CLAIMS FOR RELIEF

COUNT ONE: HABEAS CORPUS

Mr. Guzman's Detention and Removal Violates His Right to Due Process under the Fifth Amendment

32. The Fifth Amendment to the United States Constitution provides, in pertinent part, that "[n]o person shall be . . . deprived of life, liberty, or property, without due process of law." U.S. CONST. AMEND. V.

33. As a person living within the United States for decades, Mr. Guzman is entitled to due process of law. *See generally Zadvydas*, 533 U.S. 678 (2001). As has been recently affirmed, even in the context of attempts to expedite removal under certain national security provisions of federal law, "[i]t is well established that the Fifth Amendment entitles [noncitizens] to due process of law in the context of removal proceedings. *Trump v. J.G.G.*, 145 S. Ct. 1003, 1006 (2025) (quoting *Reno* v. *Flores*, 507 U. S. 292, 306 (1993)).

34. Moreover, "[r]egardless of whether the detainees formally request release from confinement, because their claims for relief 'necessarily imply the invalidity' of their confinement and removal under the AEA, their claims fall within the 'core' of the writ of habeas corpus and thus must be brought in habeas." *J.G.G.*, 145 S. Ct. at 1005; *id.* at 1006 (Kavanaugh, J., concurring) ("all nine Members of the Court agree that judicial review is available"). Thus, although Mr. Guzman does not request his release as the primary form of relief, his action is properly brought in habeas.

35. At a minimum, the right to due process demands an "opportunity to be heard appropriate to the nature of the case." *J.G.G.*, 145 S. Ct. at 1006 (quotation omitted); *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976) ("The fundamental requirement of due process is the opportunity to be heard at a meaningful time and in a meaningful manner.").

36. Respondents' actions combine to violate Mr. Guzman's right to due process in three ways: 1) by unlawfully expediting his removal under 8 U.S.C. § 1225(b) or reinstating a prior removal order under 8 U.S.C. § 1231(a)(5) to avoid removal proceedings under 8 U.S.C. § 1229a; 2) by effectively precluding Mr. Guzman from applying for NACARA Section 203 relief; and 3) by terminating a grant of deferred action by USCIS without any notice or opportunity to be heard or respond to any basis for the termination.

37. First, upon information and belief, ICE is attempting to remove Mr. Guzman from the United States under 8 U.S.C. § 1225(b) as an expedited removal. However, Mr. Guzman does not qualify for expedited removal under § 1225(b), as he has been present in the United States for several years and did not have contact with any immigration agency for more than two years after entering. Respondents know Mr. Guzman has been present for more than two years, as he has been on an order of supervision from ICE for approximately three years.

38. Moreover, if not processed for expedited removal, ICE is reinstating a prior removal order against Mr. Guzman. However, Mr. Guzman's prior removal orders may not be reinstated. *See* 8 C.F.R. § 1241.8(d).

39. Second, Mr. Guzman was an unmarried minor at the time his father was approved for permanent residence under NACARA, thus demonstrating that Mr. Guzman is himself an eligible derivative under 8 C.F.R. § 1240.61(a)(5).

40. Having demonstrated *prima facie* eligibility for relief from removal under NACARA, Mr. Guzman should be issued a NTA and allowed to apply for relief before the immigration court, which has exclusive jurisdiction over such applications. *See* 8 C.F.R. § 1240.62. He has no other administrative remedy than to request he be issued a Notice to Appear—which he has already done. He cannot otherwise move to reopen prior removal proceedings to apply for special rule cancellation under NACARA and he is ineligible to apply directly before USCIS. *See* 8 C.F.R. § 1003.43(e); 8 C.F.R. § 1242.62. And absent a hearing before the immigration court, Mr. Guzman cannot obtain any other review of the necessary application.

41. This places Mr. Guzman at the mercy of ICE, which controls the power to issue an NTA under these circumstances. But upon information and belief, a pattern and practice does exist for ICE to issue NTAs to noncitizens otherwise eligible for special rule cancellation of removal under NACARA Section 203. This policy is generally consistent with the recognition that NACARA-eligible individuals may not have prior removal orders reinstated, but instead should be allowed to pursue relief with USCIS (where eligible) or referred to the immigration court for special rule cancellation of removal under NACARA Section 203 and the ABC Class Settlement. *See* 8 C.F.R. § 1241.8(d); *see also* USCIS, *Policy Memorandum PM-602-0187* at *2-3 (Feb. 28, 2025), available at https://www.uscis.gov/sites/default/files/document/policy-

alerts/NTA_Policy_FINAL_2.28.25_FINAL.pdf ("USCIS issues NTAs pursuant to statute or regulation in the following circumstances . . . NACARA 203 cases, where suspension of deportation or cancellation of removal is not granted, and the applicant does not have asylum status or lawful immigrant or nonimmigrant status.").

42. Moreover, because his prior removal order may not be reinstated, *see* 8 C.F.R. § 1241.8(d), and because he has now been in the US for far longer than two years, Mr. Guzman may not be processed for expedited removal under 8 U.S.C. § 1225(b). *See infra*. Accordingly, he is being held in custody in a legal Catch-22: not being processed lawfully for removal and otherwise ineligible to apply for relief from removal.

43. Detaining Mr. Guzman in this way has also frustrated his U-visa process, whereby any removal order Mr. Guzman previously had would be "deemed canceled by operation of law as of the date of USCIS' approval of Form I-918." 8 C.F.R. § 214.14(c)(5). As noted above, upon information and belief, Mr. Guzman was already found to have a bona fide U-1 petition and placed in deferred action by USCIS. This is ostensibly the reason why ICE had placed Mr. Guzman on an order of supervision. By rescinding his deferred action and detaining him, Respondents deprive Mr. Guzman of additional opportunities for relief from removal—relief which ICE had previously recognized more than three years ago.

44. Despite these circumstances, ICE has now chosen to detain Mr. Guzman, is unlawfully processing him for expedited removal, and declining to issue him an NTA and/or place him in removal proceedings. This, combined with the rescission of his deferred action on his U-1 petition, effectively deprives him of an opportunity to pursue relief from removal, leading to his current detention. These acts deprive Mr. Guzman of his right to procedural due process. *See J.G.G.*, 145 S. Ct. at 1006.

COUNT TWO: SUSPENSION CLAUSE

Mr. Guzman's Detention and Removal Violates The Suspension Clause

45. Mr. Guzman incorporates all preceding paragraphs as if restated herein.

46. 8 U.S.C. § 1252(b)(9) provides that "judicial review of all questions of law and fact . . . arising from any action taken or proceeding brought to remove an alien from the United States . . . shall be available only in judicial review of a final order under this section."

47. 8 U.S.C. § 1252(g) provides that "no court shall have jurisdiction to hear any cause or claim by or on behalf of any alien arising from the decision or action by the Attorney General to commence proceedings, adjudicate cases, or execute removal orders against any alien under this chapter."

48. To the extent that 8 U.S.C. § 1252 deprives this Court of jurisdiction over Mr. Guzman's due process claim, the statute would be unconstitutional as applied to Mr. Guzman. Specifically, 8 U.S.C. §§ 1252(b)(9) and (g) would unconstitutionally deprive Mr. Guzman of any opportunity for judicial review of the unlawfulness of his detention and removal. *See e.g. Joshua M. v. Barr*, 439 F.Supp.3d 632, (E.D.Va. 2020); *J.G.G.*, 145 S. Ct. at 1005; *Peyton v. Rowe*, 391 U.S. 54, 66-67 (1968); *Zadvydas*, 533 U.S. at 688.

49. The Suspension Clause forbids suspension of the writ of habeas corpus "unless when in Cases of Rebellion or Invasion the public Safety may require it." U.S. Const. Art. I, § 9, cl. 2; *see Boumediene v. Bush*, 553 U.S. 723, 745 (2008).

50. Violations of the Suspension Clause are evaluated under the two-step test in *Boumediene*. This Court first determines whether Mr. Guzman is prohibited from invoking the Suspension Clause, and if not, must decide whether there is a constitutionally adequate substitute

for habeas. *Id.* at 792; *see also Osorio-Martinez v. U.S. Att'y. Gen.*, 893 F.3d 153, 166-67 (3d Cir. 2018).

51. *Boumediene* Step One begins with three factors to determine whether a petitioner is prohibited from invoking the Suspension Clause: "(1) the citizenship and status of the detainee and the adequacy of the process through which that status determination was made; (2) the nature of the sites where apprehension and then detention took place; and (3) the practical obstacles inherent in resolving the prisoner's entitlement to the writ." *Boumediene*, 553 U.S. at 766.

52. First, despite his nationality, Mr. Guzman has been living in the United States for the better part of several decades. He also has a bona fide case for U-1 non-immigrant status, as well as four U.S. citizen children, necessarily reflecting significant ties to the United States. *See United States v. Verdugo-Urquidez,* 494 U.S. 259, 265 (1990); *see also Flores*, 507 U. S. at 306.

53. Second, Mr. Guzman was detained by ICE in Maryland, not at the border or in a foreign/enemy combatant context, and thus the factor favors Mr. Guzman.

54. Third, there are no practical obstacles to resolving the writ, namely because the Court may allow Mr. Guzman to appear by phone or video for hearings if his appearance were impractical, and even so these considerations are merely the "incremental expenditure of resources" that are not dispositive. *See Boumediene*, 553 U.S. at 769.

55. Moreover, NACARA itself reflects congressional intent to carve out specific protections for people like Mr. Guzman, and through judicial settlement then regulation, is essentially a product of all three branches of government. It is ultimately a unique form of relief. Thus, Mr. Guzman may invoke the Suspension Clause to protect his right to due process. *See e.g. Osorio-Martinez*, 893 F.3d at 174 ("statutory rights and attendant constitutional rights as [a

NACARA applicant] bespeak a substantial legal relationship between [him] and the United States").

56. At *Boumediene* Step Two, the Court must then determine whether the INA provides an "adequate and effective substitute" for habeas. *See Boumediene*, 553 U.S. at 771-72. Here, there is no substitute for the relief requested, namely because the immigration court has exclusive jurisdiction over his NACARA application and Mr. Guzman cannot move the immigration court to reopen removal proceedings. *See* 8 C.F.R. § 1240.62; 8 C.F.R. § 1003.23(b)(1) ("A motion to reopen or to reconsider shall not be made by or on behalf of a person who is the subject of removal, deportation, or exclusion proceedings subsequent to his or her departure from the United States."); *but see William v. Gonzalez*, 499 F.3d 329, 333-34 (4th Cir. 2007). And even if Mr. Guzman could move the immigration court to reopen removal proceedings, his removal from the United States before that process can be effectuated—currently being expedited under 8 U.S.C. § 1225(b)—would deprive Mr. Guzman of his NACARA eligibility because it requires that he be physically present in the United States. *See* 8 C.F.R. § 1240.65(b)(1) (requiring the noncitizen "has been physically present in the United States for a continuous period of not less than 7 years immediately preceding the date the application was filed"); *e.g. Joshua M.*, 439 F.Supp.3d at 675 ("No guarantees exist that Joshua could preserve or revive his SIJ status should he be removed from the United States.").

57. Moreover, the expedited removal process applied to Mr. Guzman offers no opportunity to apply for NACARA, much less any opportunity to challenge on appeal (to the Board of Immigration Appeals or a federal Court of Appeals) any determination made by Respondents in reviewing that application.

58. Ultimately, "[b]ecause [NACARA] status reflects Petitioners' significant ties to this country and Congress's determination that such aliens should be accorded important statutory and procedural protections, [Mr. Guzman is] entitled to invoke the Suspension Clause and petition the federal courts for a writ of habeas corpus. . . [and] because the expedited removal regime does not provide an adequate substitute process, the INA's jurisdiction-stripping provisions effect an unconstitutional suspension of the writ as applied to [Mr. Guzman]." *Osorio-Martinez*, 893 F.3d at 167.

59. Therefore, 8 U.S.C. §§ 1252(b)(9) and (g) violate the Suspension Clause as applied to Mr. Guzman's due process claim.

COUNT THREE: REGULATORY VIOLATIONS

ICE And USCIS Revoked Mr. Guzman's Order Of Supervision And Terminated Deferred Action After A USCIS Bona Fide U-Visa Determination

60. Mr. Guzman incorporates all preceding paragraphs as if restated herein.

61. Upon information and belief, prior to his arrest Mr. Guzman was on an order of supervision from ICE. To revoke his order of supervision, ICE must determine that Mr. Guzman violated a condition of his order of supervision, the purpose of the order is no longer valid, his conduct indicates release is no longer appropriate, or ICE sought to commence removal proceedings. 8 C.F.R. § 241.4(l). Upon revocation, Mr. Guzman is entitled to a prompt hearing and review of the revocation and custody determination. *Id.*

62. Upon information and belief, Respondents have not satisfied 8 C.F.R. § 241.4(l).

63. Prior to his arrest, upon information and belief, Mr. Guzman was also granted deferred action by USCIS for having a bona fide U-1 Nonimmigrant petition.

64. "USCIS reserves the right to . . . terminate the grant of deferred action at any time if it determines the [] favorable exercise of discretion [is] no longer warranted, or . . . deferred

action [was] granted in error." USCIS Policy Manual, Vol. 3, Chapter 5, available at https://www.uscis.gov/policy-manual/volume-3-part-c-chapter-5. "For example, USCIS may . . . terminate deferred action if USCIS identifies any adverse information, such as *new information* pertaining to the risks the petitioner poses to national security or public safety, or the withdrawal of a petitioner's Form I-918, Supplement B."

65. Upon information and belief, none of these factors applied or were even considered for Mr. Guzman, and he was given no opportunity to challenge any determination by USCIS that his deferred action was no longer warranted or was granted in error.

66. Ostensibly, the termination of deferred action by USCIS closely preceded the revocation of his order of supervision, and neither occurred in such a manner as to provide Mr. Guzman with notice or an opportunity to challenge the decisions. Thus, Respondents have deprived Mr. Guzman of the benefits of deferred action—his liberty and relief from removal—and instead detained him without following their own regulations or policies.

PRAYER FOR RELIEF

Based on the foregoing, Mr. Guzman requests that this Court:

a. Assume jurisdiction over the matter;

b. Issue an emergency order staying Petitioner's transfer outside the District of Maryland and enjoin his removal or deportation from the United States;

c. If transferred outside the District, order that Mr. Guzman be returned to Maryland for any evidentiary or removal hearing;

d. Declare that the immigration detention and expedited removal of Mr. Guzman without an opportunity to apply for special rule cancellation of removal under NACARA Section 203 violates the Due Process Clause of the Fifth Amendment to the U.S. Constitution;

e. Order Respondents (DHS) to issue Mr. Guzman a Notice to Appear and refer him to removal proceedings under 8 U.S.C. § 1229a, or alternatively order Respondent Attorney General Pamela Bondi and the immigration court to otherwise hold an immigration court hearing for Mr. Guzman to establish his eligibility for special rule cancellation of removal under NACARA Section 203;

f. Find that if Respondents fail to provide the process due to Mr. Guzman so he may apply for relief from removal, order that he be released from Respondents' custody;

g. Award Petitioner all costs incurred in maintaining this action, including attorneys' fees under the Equal Access to Justice Act, 5 U.S.C. § 504, 28 U.S.C. § 2412; and on any other basis justified by law; and

h. Grant any other and further relief this Court deems just and proper.

Respectfully submitted,

/s/ Joseph Moravec
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