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9 UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA
11 SAN FRANCISCO DIVISION
12

13 Toribio Felipe CASTANON DOMINGO,

14 Petitioner-Plaintiff,

15 v.
16

17 Polly KAISER, Acting Field Office Director of San
18 Francisco Office of Detention and Removal, U.S.
19 Immigrations and Customs Enforcement; U.S.
20 Department of Homeland Security;

21 Todd M. LYONS, Acting Director, Immigration and
22 Customs Enforcement, U.S. Department of Homeland
23 Security; and

24 Kristi NOEM, in her Official Capacity, Secretary,
25 U.S. Department of Homeland Security,

26 Respondents-Defendants.
27
28

Case No. 3:25-cv-5893

**PETITION FOR WRIT OF
HABEAS CORPUS AND
COMPLAINT FOR
DECLARATORY AND
INJUNCTIVE RELIEF**

Challenge to Unlawful
Incarceration Under Color of
Immigration Detention Statutes;
Request for Declaratory and
Injunctive Relief

INTRODUCTION

1 1. Petitioner, Mr. Toribio Felipe Castanon Domingo ("Mr. Castanon" or "Petitioner"), by and
2 through his undersigned counsel, hereby files this petition for writ of habeas corpus and complaint
3 for declaratory and injunctive relief challenging his current unlawful detention by the U.S.
4 Department of Homeland Security (DHS), U.S. Immigration and Customs Enforcement (ICE) and
5 seeking his immediate release from immigration custody. Mr. Castanon was arbitrarily re-detained
6 without due process twelve years of no supervision requirements, demonstrating ICE's assessment
7 that he posed no risk, and before any re-incarceration, the government must demonstrate to a
8 neutral adjudicator that he is a danger to the community or a flight risk by clear and convincing
9 evidence. Mr. Castanon seeks his immediate emergency release from immigration custody.
10

11 2. The DHS previously incarcerated Mr. Castanon for short time in April of 2013 and placed
12 in removal proceedings. Mr. Castanon was initially detained pursuant to INA § 236, but the DHS
13 subsequently released him on April 22, 2013, after an ICE officer determined he was neither a
14 flight risk nor a danger and set bond in the amount of \$2,000.00. Mr. Castanon complied with all
15 conditions of release.
16

17 3. Over the twelve years in which he has lived at liberty, Mr. Castanon has been a working
18 family man in Sonoma County. He has also continued to diligently litigate his removal
19 proceedings, including applying for Cancellation of Removal and Adjustment of Status for Certain
20 Nonpermanent Residents (EOIR-42B). Mr. Castanon currently has as Individual Calendar Hearing
21 scheduled for July 15, 2025, before the San Francisco Immigration Court.
22

23 4. On June 16, 2025, Mr. Castanon's obligor received in the mail a notice requiring Mr.
24 Castanon to appear for an interview at the ICE office located at 630 Sansome Street, San Francisco,
25 California on July 14, 2025.
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1 5. Mr. Castanon's counsel attempted to have the check-in rescheduled, citing the
2 administrative efficiency of postponing it until after the next day's individual merits hearing. ICE
3 representatives informed Castanon's attorney that it was "just an interview" and refused to
4 reschedule.

5 6. On July 14, 2025, Mr. Castanon appeared for his scheduled check-in appointment,
6 accompanied by counsel. At the appointment, ICE officers detained Mr. Castanon without prior
7 warning at 630 Sansome Street, San Francisco, California.

9 7. The timing of this detention—deliberately scheduled one day before Mr. Castanon's
10 scheduled merits hearing—appears calculated to undermine his ability to prepare for and
11 participate in his removal proceedings and constitutes a denial of fundamental fairness.

13 8. On information and belief, this pattern of detention appears to be driven by the current
14 administration's directive for ICE to significantly increase arrest quotas rather than individualized
15 enforcement priorities based on flight risk or danger to the community.¹

17 9. No material circumstances have changed that would justify Mr. Castanon's re-detention at
18 this time.

19 10. The government cannot point to any changed circumstances that would justify Mr.
20 Castanon's current incarceration. Mr. Castanon is entitled to immediate release unless the
21

22 ¹ See "Trump officials issue quotas to ICE officers to ramp up arrests," *Washington Post*
23 (January 26, 2025), available at: [https://www.washingtonpost.com/immigration/2025/01/26/ice-](https://www.washingtonpost.com/immigration/2025/01/26/ice-arrests-raids-trump-quota/)
24 [arrests-raids-trump-quota/](https://www.washingtonpost.com/immigration/2025/01/26/ice-arrests-raids-trump-quota/); "Stephen Miller's Order Likely Sparked Immigration Arrests And
25 Protests," *Forbes* (June 9, 2025),
26 [https://www.forbes.com/sites/stuartanderson/2025/06/09/stephen-millers-order-likely-sparked-](https://www.forbes.com/sites/stuartanderson/2025/06/09/stephen-millers-order-likely-sparked-immigration-arrests-and-protests/)
27 [immigration-arrests-and-protests/](https://www.forbes.com/sites/stuartanderson/2025/06/09/stephen-millers-order-likely-sparked-immigration-arrests-and-protests/) ("At the end of May 2025, 'Stephen Miller, a senior White
28 House official, told Fox News that the White House was looking for ICE to arrest 3,000 people a
day, a major increase in enforcement. The agency had arrested more than 66,000 people in the
first 100 days of the Trump administration, an average of about 660 arrests a day,' reported the
New York Times. Arresting 3,000 people daily would surpass 1 million arrests in a calendar
year.").

1 government can establish, by clear and convincing evidence and before a neutral decision maker,
2 that he is a danger to the community or a flight risk, such that his continued incarceration is
3 necessary.

4 11. Mr. Castanon faces immediate and irreparable constitutional harm. His detention on the
5 eve of his merits hearing constitutes a due process emergency requiring this Court's immediate
6 intervention. Every day of continued detention irrevocably prejudices his ability to prepare with
7 counsel, coordinate witnesses, and present his case for relief from removal.
8

9 CUSTODY

10 12. Mr. Castanon is currently detained at 630 Sansome Street, San Francisco, California, in
11 ICE custody, satisfying the custody requirement for habeas corpus jurisdiction under 28 U.S.C. §
12 2241. Mr. Castanon remains at the ICE processing facility, and transfer is imminent absent this
13 Court's intervention.
14

15 13. Prior to his re-detention on July 14, 2025, Mr. Castanon was released from custody on a
16 \$2,000.00 bond set by an ICE officer.
17

18 JURISDICTION

19 14. This Court has jurisdiction over the present action pursuant to 28 U.S.C. § 1331, general
20 federal question jurisdiction; 5 U.S.C. § 701, *et seq.*, All Writs Act; 28 U.S.C. § 2241, *et seq.*,
21 habeas corpus; 28 U.S.C. § 2201, the Declaratory Judgment Act; Art. 1, § 9, Cl. 2 of the United
22 States Constitution (Suspension Clause); Art. 3 of the United States Constitution, and the common
23 law.
24

25 REQUIREMENTS OF 28 U.S.C. § 2243

26 15. The Court must grant the petition for writ of habeas corpus or issue an order to show cause
27 (OSC) to Respondents "forthwith," unless the petitioner is not entitled to relief. 28 U.S.C. § 2243.
28

1 If an OSC is issued, the Court must require Respondents to file a return "within *three days* unless
2 for good cause additional time, *not exceeding twenty days*, is allowed." *Id.* (emphasis added).

3 16. Courts have long recognized the significance of the habeas statute in protecting individuals
4 from unlawful detention. The Great Writ has been referred to as "perhaps the most important writ
5 known to the constitutional law of England, affording as it does a *swift* and imperative remedy in
6 all cases of illegal restraint or confinement." *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis
7 added).
8

9 17. Habeas corpus must remain a swift remedy. Importantly, "the statute itself directs courts
10 to give petitions for habeas corpus 'special, preferential consideration to insure expeditious hearing
11 and determination.'" *Yong v. INS*, 208 F.3d 1116, 1120 (9th Cir. 2000) (internal citations omitted).
12

13 VENUE

14 18. Venue is properly before this Court pursuant to 28 U.S.C. § 1391(e) because the
15 Respondents are employees or officers of the United States, acting in their official capacity;
16 because a substantial part of the events or omissions giving rise to the claim occurred in the
17 Northern District of California; because Mr. Castanon is under the jurisdiction of the San Francisco
18 ICE Field Office, which is in the jurisdiction of the Northern District of California; and because
19 there is no real property involved in this action.
20

21 INTRADISTRICT ASSIGNMENT

22 19. The decision to arrest and re-incarcerate Mr. Castanon was made by the San Francisco
23 Field Office of ICE. Therefore, the assignment to the San Francisco Division of this Court is proper
24 under N.D. Local Rule 3-2(d).
25

26 EXHAUSTION OF ADMINISTRATIVE REMEDIES

27 20. For habeas claims, exhaustion of administrative remedies is prudential, not jurisdictional.
28

1 *Hernandez v. Sessions*, 872 F.3d 976, 988 (9th Cir. 2017). A court may waive the prudential
2 exhaustion requirement if “administrative remedies are inadequate or not efficacious, pursuit of
3 administrative remedies would be a futile gesture, irreparable injury will result, or the
4 administrative proceedings would be void.” *Id.* (quoting *Laing v. Ashcroft*, 370 F.3d 994, 1000
5 (9th Cir. 2004) (citation and quotation marks omitted)). Mr. Castanon asserts that exhaustion
6 should be waived because administrative remedies are (1) futile and (2) his continued detention
7 results in irreparable harm.
8

9 21. No statutory exhaustion requirements apply to Mr. Castanon’s claim of unlawful custody
10 in violation of his due process rights, and there are no administrative remedies that he needs to
11 exhaust. *See Am.-Arab Anti-Discrimination Comm. v. Reno*, 70 F.3d 1045, 1058 (9th Cir. 1995)
12 (finding exhaustion to be a “futile exercise because the agency does not have jurisdiction to
13 review” constitutional claims); *In re Indefinite Det. Cases*, 82 F. Supp. 2d 1098, 1099 (C.D. Cal.
14 2000) (same).
15

16 PARTIES

17 22. Mr. Castanon was born in Guatemala and moved to the United States in 2003 after enduring
18 persecution on account of his indigenous race. He was detained by ICE in 2013 and released from
19 immigration custody on April 22, 2013 on a \$2000 bond set by an ICE officer. No check-ins were
20 ever scheduled by ICE. He has lived at the same address in Santa Rosa, California since 2003. He
21 is the father of two United States citizens, one of whom is a minor. Mr. Castanon has a pending
22 meritorious application for Cancellation of Removal and Adjustment of Status for Certain
23 Nonpermanent Residents (EOIR-42B), as well as for Asylum and Withholding of Removal (I-
24 589). Mr. Castanon is currently scheduled for an Individual Calendar Hearing on the merits of his
25 applications before the San Francisco Immigration Court on July 15, 2025.
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1 23. Respondent Polly KAISER is the Acting Field Office Director of ICE, in San Francisco,
2 California and is named in her official capacity. ICE is the component of the DHS that is
3 responsible for detaining and removing noncitizens according to immigration law and oversees
4 custody determinations. In her official capacity, she is the legal custodian of Mr. Castanon.

5 24. Respondent Todd M. LYONS is the Acting Director of ICE and is named in his official
6 capacity. Among other things, ICE is responsible for the administration and enforcement of the
7 immigration laws, including the removal of noncitizens. In his official capacity as head of ICE,
8 he is the legal custodian of Mr. Castanon.

9 25. Respondent Kristi NOEM is the Secretary of DHS and is named in her official capacity.
10 DHS is the federal agency encompassing ICE, which is responsible for the administration and
11 enforcement of the INA and all other laws relating to the immigration of noncitizens. In her
12 capacity as Secretary, Respondent Noem has responsibility for the administration and
13 enforcement of the immigration and naturalization laws pursuant to section 402 of the Homeland
14 Security Act of 2002, 107 Pub. L. No. 296, 116 Stat. 2135 (Nov. 25, 2002); *see also* 8 U.S.C. §
15 1103(a). Respondent Noem is the ultimate legal custodian of Mr. Castanon.

19 STATEMENT OF FACTS

20 26. Mr. Castanon is 53 years old and is from San Marcos, Guatemala.

21 27. Mr. Castanon arrived in the United States in 2003 and has been residing in Santa Rosa,
22 California. He fled his country due to the forced displacement from his land through lethal force
23 by non-indigenous Guatemalans.

24 28. Mr. Castanon has been in immigration proceedings and has pending EOIR-42B and I-589
25 applications.
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1 29. Mr. Castanon was initially placed in removal proceedings after being detained by ICE and
2 charged with removability based on his entry without admission or parole after inspection by an
3 immigration officer in April 2013. His entry in 2003 was his first and only entry into the United
4 States.

5 30. Mr. Castanon is the main breadwinner for his family, which includes two United States
6 citizen children.

7 31. Mr. Castanon works as a cook in two different restaurants and has been a valuable member
8 of his community. He is the sole caretaker of his wife, who suffers from diabetes and Graves
9 disease.
10

11 32. Mr. Castanon has battled problems with alcohol since his arrival in the United States,
12 stemming from his trauma and his sadness at leaving children behind in Guatemala.

13 33. Mr. Castanon has been convicted of VC 23152(b) in January 2012 and March 28, 2013,
14 and was subsequently convicted of PC 273a(a) in 2022 for driving under the influence with his
15 daughter in the car. Since this conviction he no longer drives, and he has not consumed any alcohol
16 since January 2025. He completed all requirements of his conditional sentences.
17

18 34. During one of these incidents, Mr. Castanon was arrested by ICE and placed in custody
19 pursuant INA § 236.
20

21 35. On April 22, 2013, Mr. Castanon was released on a \$2000 bond set by ICE, having
22 determined that Mr. Castanon was neither a flight risk nor a danger to the community.
23

24 36. Upon posting the bond, ICE provided no known conditions or stipulations to Mr. Castanon.

25 37. From 2013 through July 2025, ICE required no check-ins, supervision, or monitoring of
26 Mr. Castanon, including after his 2022 conviction, demonstrating ICE's continuing assessment that
27 he posed no flight risk or danger to the community.
28

1 38. Mr. Castanon currently has immigration proceedings pending before the San Francisco
2 Immigration Court.

3 39. Mr. Castanon is scheduled to appear for an individual merits hearing on July 15, 2025,
4 before Immigration Judge Howard Davis at the San Francisco Immigration Court.

5 40. Mr. Castanon is represented by counsel and has been preparing extensively for this hearing.
6

7 41. Mr. Castanon is an applicant for Cancellation of Removal (EOIR-42B) and Asylum, either
8 of which would allow him to remain lawfully in the United States.

9 42. Mr. Castanon's applications for relief have substantial merit and he has a reasonable
10 possibility of success.

11 43. On June 16, 2025, Mr. Castanon's obligor received a "Notice to Obligor to Deliver Alien,"
12 requiring Mr. Castanon to appear for an interview at the ICE office located at 630 Sansome Street,
13 San Francisco, California.

14 44. Prior to this appointment, Mr. Castanon's counsel made efforts to have the interview
15 rescheduled, citing the administrative efficiency of postponing it until after the next day's
16 individual merits hearing.
17

18 45. ICE representatives informed Mr. Castanon's attorney that it was "just an interview" and
19 refused to reschedule.
20

21 46. Mr. Castanon's attorney accompanied him to the appointment at 630 Sansome Street in San
22 Francisco.
23

24 47. At the appointment, ICE officers detained Mr. Castanon without prior warning and without
25 providing any specific reasons for the detention.

26 48. ICE officers were presented with Mr. Castanon's positive equities and were urged against
27 detention, but ICE proceeded with the detention nonetheless.
28

1 49. The timing of this detention—one day before Mr. Castanon's scheduled merits hearing—
2 has fundamentally disrupted his ability to prepare for and participate in his removal proceedings.

3 50. On information and belief, numerous other noncitizens in the San Francisco Bay Area and
4 across the country have received similar treatment—being detained during routine interviews or
5 appointments that they attended in compliance with ICE directives.
6

7 51. On information and belief, this pattern of detention appears to be driven by the current
8 administration's directive for ICE to significantly increase arrest quotas rather than individualized
9 enforcement priorities based on flight risk or danger to the community.

10 52. These detentions are occurring regardless of individuals' compliance history, community
11 ties, or lack of flight risk or danger.
12

13 53. ICE's own conduct contradicts any claim that material circumstances justify Mr. Castanon's
14 detention. Despite knowledge of his 2022 conviction, ICE required no supervision for three years,
15 demonstrating their assessment that he posed no flight risk or danger. The only material change is
16 ICE's enforcement priorities under the current administration.
17

18 54. ICE has identified no new facts or circumstances that would alter the previous
19 determination that Mr. Castanon is neither a flight risk nor a danger to the community.

20 55. The government's conduct here demonstrates a pattern of deliberate interference with
21 noncitizens' right to counsel and fair hearings, necessitating immediate emergency relief to prevent
22 further constitutional violations.
23

24 56. Upon information and belief, ICE intends to transfer Mr. Castanon outside the Northern
25 District of California to a detention facility in another jurisdiction.

26 57. Such transfer would effectively deny Mr. Castanon access to his counsel, who is located in
27 this district.
28

1 58. Transfer would also prevent Mr. Castanon from accessing witnesses and evidence located
2 in the San Francisco Bay Area.

3 59. Mr. Castanon's counsel and potential witnesses are located in the Northern District of
4 California, and transfer would create insurmountable barriers to effective representation and case
5 preparation.

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7 60. Transfer would render Mr. Castanon's removal proceedings fundamentally unfair and
8 would violate his constitutional right to effective assistance of counsel.

9
10 **FIRST CAUSE OF ACTION**
Procedural Due Process
U.S. Const. amend. V

11 61. Mr. Castanon re-alleges and incorporates herein by reference, as is set forth fully herein,
12 the allegations in all the preceding paragraphs.

13 62. The Due Process Clause of the Fifth Amendment forbids the government from depriving
14 any "person" of liberty "without due process of law." U.S. Const. amend. V.

15
16 63. Mr. Castanon has a vested liberty interest in his conditional release. Due Process does not
17 permit the government to strip him of that liberty without a hearing before this Court. *See*
18 *Morrissey*, 408 U.S. at 487-488.

19 64. Under the balancing test established in *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976),
20 Mr. Castanon was entitled to notice and a hearing before a neutral decisionmaker prior to his re-
21 detention.

22
23 65. The *Mathews* factors strongly favor Mr. Castanon:

- 24 a. **Private Interest:** Mr. Castanon has a substantial private interest in his
25 liberty, including his ability to work, care for his family, and participate
26 meaningfully in his immigration proceedings;
27
28

- 1 b. **Risk of Erroneous Deprivation:** The risk of erroneous deprivation is high
2 where ICE can unilaterally revoke release without any process or oversight;
3 c. **Government Interest:** The government's interest is minimal where ICE's
4 own conduct for twelve years, including three years after his 2022
5 conviction, demonstrated their assessment that Mr. Castanon posed no
6 flight risk or danger requiring any supervision whatsoever.

7
8 66. The Court must therefore order Mr. Castanon's immediate release from detention and that,
9 prior to any future detention, the government must provide him with a hearing before a neutral
10 adjudicator. At any such hearing, the neutral adjudicator would evaluate, *inter alia*, whether clear
11 and convincing evidence demonstrates, taking into consideration alternatives to detention and Mr.
12 Castanon's ability to pay a bond, that Mr. Castanon is a danger to the community or a flight risk,
13 such that his detention is warranted. During any custody determination hearing that occurs, this
14 Court or, in the alternative, a neutral adjudicator must consider alternatives to detention when
15 determining whether Mr. Castanon's detention is warranted.
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18 **SECOND CAUSE OF ACTION**
19 **Substantive Due Process**
20 **U.S. Const. amend. V**

21 67. Mr. Castanon re-alleges and incorporates herein by reference, as is set forth fully herein,
22 the allegations in all the preceding paragraphs.

23 68. The Due Process Clause of the Fifth Amendment forbids the government from depriving
24 individuals of their right to be free from unjustified deprivations of liberty. U.S. Const. amend. V.

25 69. Mr. Castanon has a vested liberty interest in his conditional release. Due Process does not
26 permit the government to strip him of that liberty without it being tethered to one of the two
27 constitutional bases for civil detention: to mitigate against the risk of flight or to protect the
28 community from danger.

1 70. Since April 22, 2013, ICE required no supervision, monitoring, or additional conditions for
2 Mr. Castanon, including after his 2022 conviction, demonstrating ICE's continuing assessment
3 that he posed neither a flight risk nor a danger to the community. Re-arresting him now—while he
4 is the sole breadwinner of his family and primary caretaker of his wife and minor child, the day
5 before his merits hearing—contradicts ICE's own twelve-year determination and violates his
6 constitutional right to be free from unjustified deprivation of liberty.
7

8 71. For these reasons, Mr. Castanon's re-arrest without first being provided a hearing violates
9 the Constitution.
10

11 72. The Court must therefore order Mr. Castanon's immediate release from detention and that,
12 prior to any future detention, the government must provide him with a hearing before a neutral
13 adjudicator. At any such hearing, the neutral adjudicator would evaluate, *inter alia*, whether clear
14 and convincing evidence demonstrates, taking into consideration alternatives to detention and Mr.
15 Castanon's ability to pay a bond, that Mr. Castanon is a danger to the community or a flight risk,
16 such that his detention is warranted. During any custody determination hearing that occurs, this
17 Court or, in the alternative, a neutral adjudicator must consider alternatives to detention when
18 determining whether Mr. Castanon's detention is warranted.
19

20 **THIRD CAUSE OF ACTION**

21 **Violation of Immigration Statutes and Regulations**

22 73. Mr. Castanon re-alleges and incorporates herein by reference, as is set forth fully herein,
23 the allegations in all the preceding paragraphs.

24 74. Under 8 U.S.C. § 1226(b) and 8 C.F.R. § 236.1(c)(9), ICE may revoke an individual's
25 release only upon a showing of changed circumstances.
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1 75. The Board of Immigration Appeals has held that "where a previous bond determination has
2 been made by an immigration judge, no change should be made by [DHS] absent a change of
3 circumstance." *Matter of Sugay*, 17 I&N Dec. 637, 640 (BIA 1981).

4 76. ICE has acknowledged that it "generally only re-arrests [noncitizens] pursuant to § 1226(b)
5 after a *material* change in circumstances." *Saravia v. Sessions*, 280 F. Supp. 3d 1168, 1197 (N.D.
6 Cal. 2017).

7
8 77. ICE's own conduct contradicts any claim that material circumstances justify Mr.
9 Castanon's detention. Despite knowledge of his 2022 conviction, ICE required no supervision for
10 three years, demonstrating their assessment that he posed no flight risk or danger. The only
11 material change is ICE's enforcement priorities under the current administration, which does not
12 constitute a material change in Mr. Castanon's individual circumstances.

13
14 78. Respondents' detention of Mr. Castanon violates the statutory and regulatory requirements
15 for revocation of release.

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17 **FOURTH CAUSE OF ACTION**
Violation of Right to a Fair Hearing

18 79. Mr. Castanon re-alleges and incorporates herein by reference, as is set forth fully herein,
19 the allegations in all the preceding paragraphs.

20 80. Mr. Castanon has a right to a full and fair hearing in his removal proceedings. *Gutierrez v.*
21 *Holder*, 662 F.3d 1083, 1091 (9th Cir. 2011).

22
23 81. The sudden detention on the eve of his merits hearing, and the threatened transfer away
24 from his counsel and witnesses, fundamentally undermines Mr. Castanon's ability to present his
25 case.

26 82. These actions deny Mr. Castanon the fair hearing guaranteed by the Due Process Clause
27 and immigration statutes.
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PRAYER FOR RELIEF

WHEREFORE, Mr. Castanon prays that this Court grant the following relief:

- a) Assume jurisdiction over this matter;
- b) Issue a writ of habeas corpus ordering Mr. Castanon's immediate release from ICE custody;
- c) In the alternative, enjoin ICE from continuing to detain Mr. Castanon unless and until a hearing can be held before a neutral adjudicator to determine whether his continued incarceration would be lawful because the government has shown that he is a danger or a flight risk by clear and convincing evidence;
- d) Enjoin Respondents from transferring Mr. Castanon outside the Northern District of California unless and until he is afforded his scheduled merits hearing and the opportunity to pursue relief from removal with effective assistance of counsel;
- e) Declare that Mr. Castanon cannot be detained unless and until he is afforded a hearing on the question of whether his incarceration would be lawful—i.e., whether the government has demonstrated to a neutral adjudicator that he is a danger or a flight risk by clear and convincing evidence;
- f) Award reasonable costs and attorney fees; and
- g) Grant such further relief as the Court deems just and proper.

Dated: July 14, 2025

Respectfully submitted,

/s/ Jose Marin

Jose Marin

Attorney for Mr. Castanon

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7 **VERIFICATION PURSUANT TO 28 U.S.C. 2242**

8 I am submitting this verification on behalf of the Petitioner because I am one of
9 Petitioner's attorneys. I have discussed with the Petitioner the events described in the Petition.
10 Based on those discussions, I hereby verify that the factual statements made in the attached
11 Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

12 Executed on this July 14, 2025, in Berkeley, California.

13
14 /s/ Jose Marin
15 Jose Marin
16 Attorney for Petitioner
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