UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN

BOBAN MIRCEVSKI,
/aka/ Boban Zivko Mircevski Mircevski
DHS File No. [redacted]

Petitioner,

v.

Kevin RAYCRAFT, Field Office Director of Enforcement and Removal Operations, Detroit Field Office, IMMIGRATION AND CUSTOMS ENFORCEMENT; Kristi NOEM, Secretary, U.S. DEPARTMENT OF HOMELAND SECURITY; U.S. DEPARTMENT OF HOMELAND SECURITY; Pamela BONDI, U.S. Attorney General; EXECUTIVE OFFICE FOR IMMIGRATION REVIEW; Sheriff Mat KING, Sheriff of St. Clair County Jail

Respondents.

Case No. 2:25-cv-12400

PETITION FOR WRIT OF HABEAS CORPUS AND COMPLAINT

INTRODUCTION

1. Petitioner, BOBAN MIRCEVSKI ([redacted]), by and through his undersigned counsel, respectfully petitions this Honorable Court for a writ of habeas corpus to remedy Petitioner's unlawful detention by Respondents.

2. Petitioner is currently detained by U.S. Immigration and Customs Enforcement ("ICE") at the St. Clair County Jail in Port Huron, Michigan. He has been held there since approximately November 24, 2024.

3. His removal became administratively final on December 18, 2024, when he was issued an Order of Removal by an Immigration Judge. [Exhibit A]. Throughout his time detained in St. Clair, he has posed no danger or flight risk that warrants such a prolonged deprivation of liberty.

4. Petitioner's prolonged detention violates the Due Process Clause of the Fifth Amendment and Fourteenth Amendment, as well as and 8 U.S.C. § 1231.

5. Petitioner, therefore, respectfully requests that this Court issue another writ of habeas corpus, determine that Petitioner's detention is not justified because the government has not established by clear and convincing evidence that Petitioner presents a risk of flight or danger in light of available alternatives to detention, and order Petitioner's release, with appropriate supervisory conditions if necessary.

JURISDICTION AND VENUE

6. Petitioner is detained in the custody of ICE at St. Clair County Jail in Port Huron, Michigan.

7. This action arises under the Constitution of the United States, the Immigration and Nationality Act ("INA"), 8 U.S.C. §§ 1101 *et seq.*, and the Administrative Procedure Act ("APA"), 5 U.S.C. §§ 701 *et seq.* This Court has habeas corpus jurisdiction pursuant to 28 U.S.C. §§ 2241 *et seq.*; Art. I, § 9, Cl. 2 of the United States Constitution (the "Suspension Clause"), and 28 U.S.C. § 1331, as Petitioner is presently in custody under the color of the authority of the United States, and such custody is in violation of the Constitution, laws, or treaties of the United States. *See Zadvydas v. Davis*, 533 U.S. 678 (2001).

8. This Court may grant relief pursuant to the Declaratory Judgment Act, 28 U.S.C. §§ 2201 *et seq.*, 5 U.S.C. § 702, and the All Writs Act, 28 U.S.C. § 1651; *see West v. Bell*, 242 F.3d 338, 347 (6th Cir. 2001) ("When potential jurisdiction exists, a federal court may issue orders preserving the status quo to ensure that once its jurisdiction is shown to exist, the court will be in a position to exercise it.").

9. Use of the Writ of Habeas Corpus to challenge detention by ICE is available after the REAL ID Act of 2005, Pub. L. No. 109-13, 119 Stat. 231 (May 11, 2005) ("REAL ID Act"). Section 106(c) of Title I of the REAL ID Act, amending INA

§ 242(a)(2)(A), (B), and (C), and § 242(g), although limiting habeas jurisdiction, applies only to those challenges to a "final administrative order of removal."; *see also INS v. St. Cyr*, 533 U.S. 289, 364-65 (2001) ("The writ of habeas corpus has always been available to review the legality of executive detention."); *Aguilar v. ICE*, 510 F.3d 1, 11 (1st Cir. 2007) ("[W]e have held that district courts retain jurisdiction over challenges to the legality of detention in the immigration context."); *Bonhometre v. Gonzales*, 414 F.3d 442, 446 n.4 (3d Cir. 2005) ("An alien challenging the legality of his detention still may petition for habeas corpus [post-REAL ID].").

10. Congress has preserved judicial review of challenges to prolonged immigration detention. *See Jennings v. Rodriguez*, 138 S.Ct. 830, 839-841 (2018) (holding that 8 U.S.C. §§ 1226(e), 1252(b)(9) do not bar review of challenges to prolonged immigration detention); *see also Id.* at 876 (Breyer, J., dissenting) ("8 U.S.C. § 1252(b)(9), . . . by its terms applies only with respect to review of an order of removal") (internal quotation marks and brackets omitted).

11. Venue is proper in this District under 28 U.S.C. § 1391 because (a) Respondent, and its staff, are employees or officers of the United States or under contract with the United States, acting in their official capacity, (b) a substantial number of the events and actions giving rise to this claim occurred in this District

(e.g. the court that ordered Petitioner's removal is located in this District), (c) Respondent's field office is located in this District and his office's decision to hold Petitioner occurred in this District, and (d) Petitioner, along with the jail in which he is detained, are currently located in this district.

PARTIES

12. Petitioner, Boban Mircevski, is a noncitizen, previously admitted to the United States as a permanent resident. He is currently detained by Respondents after a final order of removal and awaiting deportation.

13. Respondent, Kevin Raycraft, is the Director of the Detroit Field Office of ICE's Enforcement and Removal Operations division. As such, Field Office Director Raycraft is Petitioner's immediate custodian and is responsible for Petitioner's detention and removal. He is named in his official capacity.

14. Respondent, Kristi Noem, is the Secretary of the Department of Homeland Security. She is responsible for the implementation and enforcement of the Immigration and Nationality Act ("INA"), and oversees ICE, which is responsible for Petitioner's detention. Secretary Noem has ultimate custodial authority over Petitioner and is sued in her official capacity.

15. Respondent, Department of Homeland Security ("DHS"), is the federal agency responsible for implementing and enforcing the INA, including the detention

and removal of noncitizens.

16. Respondent, Pamela Bondi, is the Attorney General of the United States. She is responsible for the Department of Justice, of which the Executive Office for Immigration Review and the immigration court system it operates is a component agency. She is sued in her official capacity.

17. Respondent, Executive Office for Immigration Review ("EOIR"), is the federal agency responsible for implementing and enforcing the INA in removal proceedings, including for custody redeterminations in bond hearings.

18. Respondent, Sheriff Mat King, is employed by St. Clair Count Jail as Sheriff of the facility where Petitioner is detained. He has immediate physical custody of Petitioner. He is sued in his official capacity.

STATEMENT OF FACTS

19. Petitioner was born in Yugoslavia in 1972 and is a Yugoslav citizen. Because the country of Yugoslavia broke up following the fall of the Soviet Union, the land that was once part of the larger country is now divided between the countries of Bosnia Herzegovina, Croatia, Kosovo, Montenegro, North Macedonia, Serbia, and Slovenia.

20. Petitioner entered the United States in or around 1974—before the division of Yugoslavia—and has never returned to his country of origin since that time.

Consequently, he is not a citizen of any of the current post-Soviet countries. He is only a citizen of a—now—non-existent country. He is thus stateless.

21. Petitioner entered the United States lawfully with his parents and adjusted status to that of a lawful permanent resident through his parents. He was a resident until he was ordered deported on December 18, 2024, in the Detroit Immigration Court of EOIR. This is a final order of removal, and Petitioner did not appeal his case. [Exhibit A].

22. Petitioner was sent to removal proceedings based on convictions for a 1991 conspiracy breaking & entering, 1998 home invasion, and 2020 armed robbery. After he completed his sentence for the 2020 incident, he was then remanded to the custody of Respondents and has remained in civil detention since November 2024, when he was moved to the St. Clair County Jail in Port Huron, MI.

23. Petitioner does not have a valid passport or travel document to any existing country.

24. Petitioner has cooperated with Respondents' efforts to obtain travel documents for him.

25. Petitioner has been detained by Respondents since November 2024, a period of nearly 9 months! He has undergone a post order custody review, which have offered no relief or indication of being removed in the near future. There has been

no hearing before an independent decision maker to determine whether Petitioner's prolonged detention is justified based on danger, flight risk, or other legal bases. [Exhibit B].

26. Counsel for Petitioner sought a copy of the 180-day custody review order, but was informed that the Detroit ICE Office does not have a copy of the document and that Petitioner's Deportation Officer recommended release.

27. While Petitioner prefers to be in the United States, he does not want to remain in indefinite detention here. He understands that because he has been ordered removed, should travel documents and removal plans materialize, he will comply.

28. In the interim and if released, Petitioner would live in a home with his wife, Evonda Mircevski, and their children, in Detroit, Michigan. [Exhibit C].

29. Petitioner contends that he is not subject to the mandatory detention provisions of 8 U.S.C. § 1231 as such statute has been interpreted by the United States Supreme Court to include the limitation of applicability in circumstances where removal is not reasonably foreseeable. *Zadvydas*, 533 U.S. 678.

LEGAL BACKGROUND

30. "It is well established that the Fifth Amendment entitles aliens to due process of law in deportation proceedings."" *Demore v. Kim*, 538 U.S. 510, 523 (2003) (quoting *Reno v. Flores*, 507 U.S. 292, 306 (1993)). "Freedom from imprisonment

from government custody, detention, or other forms of physical restraintClies at the heart of the liberty" that the Due Process Clause protects. *Zadvydas*, 533 U.S. at 690; *see also id.* at 718 (Kennedy, J., dissenting) ("Liberty under the Due Process Clause includes protection against unlawful or arbitrary personal restraint or detention."). This fundamental due process protection applies to all noncitizens, including both removable and inadmissible noncitizens. *See id.* at 721 (Kennedy, J., dissenting) ("both removable and inadmissible aliens are entitled to be free from detention that is arbitrary or capricious").

31. Due process therefore requires "adequate procedural protections" to ensure that the government's asserted justification for physical confinement "outweighs the individual's constitutionally protected interest in avoiding physical restraint." *Id.* at 690 (internal quotation marks omitted). In the immigration context, the Supreme Court has recognized only two valid purposes for civil detention: to mitigate the risks of danger to the community and to prevent flight. *Id.*; *Demore*, 538 U.S. at 528.

32. In *Zadvydas*, the Supreme Court established six months as a presumptive constitutional limit on detention of aliens awaiting deportation. At 701, the *Zadvydas* court said:

> We do have reason to believe, however, that Congress previously doubted the constitutionality of detention for more than six months. See Juris. Statement in *United States v. Witkovich*, O. T. 1956, No. 295, pp. 8-9.

> Consequently, for the sake of uniform administration in the federal courts, we recognize that period. After this 6 month period, once the alien provides good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future, the Government must respond with evidence sufficient to rebut that showing. And for detention to remain reasonable, as the period of prior postremoval confinement grows, what counts as the "reasonably foreseeable future" conversely would have to shrink. *Id.*

33. In *Zadvydas*, supra, the Supreme Court voiced skepticism that an administrative review of dangerousness or flight risk without judicial review would pass constitutional muster. At 697, the *Zadvydas* court said:

> We cannot find here, however, any clear indication of congressional intent to grant the Attorney General the power to hold indefinitely in confinement an alien ordered removed. And that is so whether protecting the community from dangerous aliens is a primary or (as we believe) secondary statutory purpose.

34. In the same context of administrative review of dangerousness and flight risk, the *Zadvydas* court, at 691, commented on the case of *United States v. Salerno*, 481 U.S. 739, 746 (1987), where it noted "'stringent time limitations,' the fact that detention is reserved for the 'most serious of crimes,' the requirement of proof of dangerousness by clear and convincing evidence, and the presence of judicial safeguards..."

35. If a bond hearing were to be held in the instant case, due process would require certain minimal protections to ensure that a noncitizen's detention is warranted: the government must bear the burden of proof by clear and convincing evidence to

justify continued detention, taking into consideration available alternatives to detention. *Hamama v. Adducci*, --- F.Supp. 3d ---, 2018 WL 263037, at *21 (E.D. Mich. 2018). If the government cannot meet its burden, the noncitizen's ability to pay a bond must be considered in determining the appropriate conditions of release.

36. To justify prolonged immigration detention, the government must bear the burden of proof by clear and convincing evidence that the noncitizen is a danger or flight risk. *See Singh v. Holder*, 638 F.3d 1196, 1203 (9th Cir. 2011). Where the Supreme Court has permitted civil detention in other contexts, it has relied on the fact that the Government bore the burden of proof at least by clear and convincing evidence. *See Salerno,* 481 U.S. at 750, 752 (upholding pre-trial detention where "full-blown adversary hearing," requiring "clear and convincing evidence" and "neutral decisionmaker"); *Foucha v. Louisiana*, 504 U.S. 71, 81-83 (1992) (striking down civil detention scheme that placed burden on the detainee); *Zadvydas*, 533 U.S. at 692 (finding post-final-order custody review procedures deficient because, inter alia, they placed burden on detainee). *See also Hamama*, 2018 WL 263037, at *21

37. The requirement that the government bear the burden of proof by clear and convincing evidence is also supported by application of the three-factor balancing test from *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976). First, prolonged incarceration deprives noncitizens of a "profound" liberty interest. *See Diouf II*, 634

F.3d 1081, at 1092 (9th Cir. 2011). Second, the risk of error is great where the government is represented by trained attorneys and detained noncitizens are often unrepresented and frequently lack English proficiency. *See Santosky v. Kramer*, 455 U.S. 745, 763 (1982) (requiring clear and convincing evidence at parental termination proceedings because "numerous factors combine to magnify the risk of erroneous factfinding" including that "parents subject to termination proceedings are often poor, uneducated, or members of minority groups" and "[t]he State's attorney usually will be expert on the issues contested"). Third, placing the burden on the government imposes minimal cost or inconvenience, as the government has access to the noncitizen's immigration records and other information that it can use to make its case for continued detention.

38. Due process also requires consideration of alternatives to detention. The primary purpose of immigration detention is to ensure a noncitizen's appearance during removal proceedings. *Zadvydas*, 533 U.S. at 697. Detention is not reasonably related to this purpose if there are alternative conditions of release that could mitigate risk of flight. *See Bell v. Wolfish*, 441 U.S. 520, 538 (1979). ICE's alternatives to detention program: the Intensive Supervision Appearance Program ("ISAP") has achieved extraordinary success in ensuring appearance at removal proceedings, reaching compliance rates close to 100 percent. *Hernandez v. Sessions*, 872 F.3d

976, 991 (9th Cir. 2017) (observing that ISAP "resulted in a 99% attendance rate at all EOIR hearings and a 95% attendance rate at final hearings"). It follows that alternatives to detention must be considered in determining whether prolonged incarceration is warranted.

39. Due process likewise requires consideration of a noncitizen's ability to pay a bond. "Detention of an indigent 'for inability to post money bail' is impermissible if the individual's appearance at trial could reasonably be assured by one of the alternate forms of release.'" *Id.* at 990 (quoting *Pugh v. Rainwater*, 572 F.2d 1053, 1058 (5th Cir. 1978) (en banc)). It follows that in determining the appropriate conditions of release for immigration detainees due process requires "consideration of financial circumstances and alternative conditions of release" to prevent against detention based on poverty. *Id.*

THE RIGHT TO RELEASE IF REMOVAL IS NOT REASONABLY FORESEEABLE

40. Petitioner's ongoing detention violates 8 U.S.C. § 1231 because Respondents continue to detain Petitioner when it is not likely that Respondents will be able to deport Petitioner in the reasonably foreseeable future.

41. Immigration detention for purposes of effectuating removal is authorized only where there is a "significant likelihood of removal in the reasonably foreseeable

future." *Zadvydas*, 533 U.S. at 701. In *Zadvydas*, the Supreme Court held that 8 U.S.C. § 1231(a)(6), the post-final-order detention statute, authorizes detention only insofar as removal is "reasonably foreseeable." *Id.* at 699. *Zadvydas* construed Section 1231(a)(6) to "limit an alien's post-removal-period detention to a period reasonably necessary to bring about that alien's removal from the United States" presumptively six months. *Id.* at 699-701.

42. After the six-month "presumptively reasonable" period of post-order detention, an individual may obtain review of his detention if the individual provides a court with "good reason to believe that there is no significant likelihood of removal in the reasonably foreseeable future." *Id.* at 701. The "government must respond with evidence sufficient to rebut that showing." *Id.* If the government fails to do so, the individual must be released under conditions of supervision. *Id.* at 700.

43. Additionally, the longer post-final-order detention continues, what is considered "reasonably foreseeable" shrinks and the government must show a more immediate prospect of removal "for the detention to remain reasonable." *Id.* at 701.

44. In the instant case, Petitioner has been detained nearly ***9 months*** after a "presumptively reasonable" removal period.

45. Over these past months, ICE has not provided any particularized evidence that Petitioner's removal will be completed in the "reasonably foreseeable future."

46. None of his post-order custody reviews (POCRs) have indicated a likelihood of imminent removal.

47. Moreover, Petitioner is stateless and does not have citizenship of any country currently in existence.

48. Given the fact that Respondents have not secured a valid passport or travel document for Petitioner, removal cannot be deemed likely in the reasonably foreseeable future.

49. Petitioner has demonstrated sufficient "good reason to believe" that his removal will not occur in the reasonably foreseeable future. Respondent cannot make a showing sufficient to rebut Petitioner's case.

FIRST CLAIM FOR RELIEF: VIOLATION OF SUBSTANTIVE DUE PROCESS

50. Petitioner re-alleges and incorporates by reference the paragraphs above.

51. ICE has detained Petitioner for nearly 9 months. There is no significant likelihood of Petitioner's removal in the reasonably foreseeable future as he is a stateless individual.

52. All persons residing in the United States are protected by the Due Process Clause of the Fifth Amendment. *See Zadvydas*, 533 U.S. at 693-94; *Plyler v. Doe*, 457 U.S. 202, 210 (1987); *Mathews v. Diaz*, 426 U.S. 67 (1976).

53. The Due Process Clause of the Fifth Amendment provides that "[n]o person shall be . . . deprived of life, liberty or property, without due process of law." U.S. Const. amend. V. "Freedom from bodily restraint has always been at the core of the liberty protected by the Due Process clause from arbitrary government action." *Foucha*, 504 U.S. at 80; *Youngberg v. Romeo*, 457 U.S. 307 (1982). This vital liberty interest is at stake when an individual is subject to detention by ICE. *See Zadvydas*, 533 U.S. at 690 ("A statute permitting indefinite detention of an alien would raise a serious constitutional problem."); *Kiareldeen v. Reno*, 71 F. Supp. 2d 402, 409-10 (D.N.J. 1999) (holding that, in analyzing due process in the immigration context, the first factor in the procedural due process analysis, "the petitioner's private interest in his physical liberty, must be accorded the utmost weight").

54. Petitioner's continued detention violates substantive due process by depriving him of his fundamental liberty interest in remaining free from detention. Government detention violates an individual's fundamental liberty interest unless the detention is "narrowly tailored to serve a compelling government interest." *Reno,* 507 U.S. at 302 (1993); *Collins v. Harker Heights,* 503 U.S. 115, 125 (1992). Non-punitive detention must present a "special justification" that "outweighs the individual's constitutionally protected interest in avoiding physical restraint."

Zadvydas, 533 U.S. at 690. This is particularly so where the detention is lengthy, as in this case, where Petitioner has been detained for over 15 months.

55. Respondents' prolonged detention of Petitioner violates Petitioner's protected liberty interest under the Fifth Amendment Due Process Clause of the Constitution. Petitioner's detention is further contrary to the constitutional limitation on the detention of noncitizens set forth in *Ly v. Hansen*, 351 F.3d 263 (6th Cir. 2003). As noted by the Sixth Circuit in *Ly*, DHS must "act promptly in advancing its interests." The Court continued:

> [W]hen actual removal is not reasonably foreseeable, criminal aliens may not be detained beyond a reasonable period required to conclude removability proceedings without a government showing of a "strong special justification," constituting more than a threat to the community, that overbalances the alien's liberty interest. *Id.* at 273.

56. Petitioner's detention for nearly 9 months is excessive and beyond the boundaries of reasonableness as explained by the Sixth Circuit in *Ly.*

57. To justify Petitioner's ongoing prolonged detention, due process requires that the government establish, at an individualized hearing before a neutral decisionmaker, that Petitioner's detention is justified by clear and convincing evidence of flight risk or danger, even after consideration whether alternatives to detention could sufficiently mitigate that risk.

58. While it is true that Petitioner has past convictions, the last of these occurred in 2020—5 years ago. Petitioner has paid his debt to society and incurred just punishment.

59. If released, Petitioner would join his wife and adhere to any conditions imposed by this Court and/or Respondents through an Order of Supervision, which would mitigate against any likelihood of flight or danger to the community.

60. For these reasons, Petitioner's ongoing prolonged detention without a hearing violates due process.

SECOND CLAIM FOR RELIEF: VIOLATION OF PROCEDURAL DUE PROCESS

61. Petitioner realleges and incorporates by reference each allegation contained in the paragraphs above.

62. "Procedural due process imposes constraints on governmental decisions which deprive individuals of 'liberty' or 'property' interests within the meaning of the Due Process Clause of the Fifth or Fourteenth Amendment." *Mathews v. Eldridge*, 424 U.S. 319. Courts employ the *Eldridge* test when an alien's due process liberty interests are at stake. *See Flores-Chavez v. Ashcroft*, 362 F.3d 1150, 1160-61 (9th Cir. 2004). The test considers three factors: (1) the affected private interest, (2) the risk of erroneous deprivation of that interest, and (3) the government's interest.

63. Petitioner's private interest affected by Respondent's actions is profound—his physical liberty. The risk of erroneous deprivation of Petitioner's liberty is high, because he is neither a flight risk nor a danger. *See generally Matter of Patel*, 15 I. & N. Dec. 666, 666 (BIA 1976) ("An alien generally is and should not be detained or required to post bond except on a finding that she is a threat to the national security, or that he is a poor bail risk.").

64. The government's interest in his continued detention is limited as there are viable alternatives to ensure that Petitioner will not flee while attempting to secure a passport/travel document, along with an actual flight. This includes alternatives likes supervised release. Continued detention does not increase Petitioner's chance of securing a travel document.

65. As the *Eldridge* test demonstrates, the deprivation of Petitioner's liberty interest far outweighs the government's interest in his continued detention during removal proceedings, particularly when the additional safeguard of a bond hearing would provide adequate protection against unjust incarceration.

THIRD CLAIM FOR RELIEF: STATUTORY VIOLATIONS

66. Petitioner re-alleges and incorporates by reference the paragraphs above.

67. 8 U.S.C. § 1231(a)(6) has been interpreted to authorize detention only insofar as removal is "reasonably foreseeable." *See Zadvydas* at 699. *Zadvydas* construed

§ 1231(a)(6) to "limit an alien's post-removal-period detention to a period reasonably necessary to bring about that alien's removal from the United States" presumptively six months. *Id.* at 699-701.

68. Petitioner's detention has exceeded six months and he has not received an individualized review of his detention by a neutral decisionmaker.

69. ICE has failed to demonstrate that Petitioner's removal will be effectuated within the reasonably foreseeable future and detention must not continue as removal is not likely to occur in the foreseeable future.

70. For these reasons, Petitioner's ongoing prolonged detention violates 8 U.S.C. § 1231(a)(6) and he must be released.

EQUAL ACCESS TO JUSTICE ACT

71. If he prevails, Petitioner will seek attorney's fees and costs under the Equal Access to Justice Act ("EAJA"), as amended, 5 U.S.C. §504 and 28 U.S.C. §2412.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Assume jurisdiction over this matter;

2. Issue a Writ of Habeas Corpus—and hold a hearing before this Court if warranted—to affirm that Petitioner's detention is not justified because the government has not established by clear and convincing evidence that Petitioner

presents a risk of flight or danger in light of available alternatives to detention; for these reasons, order Petitioner's release immediate release subject to reasonable terms of supervision.

3. Declare Petitioner's ongoing detention unconstitutional and contrary to law;

4. Issue a declaration that Petitioner's ongoing, prolonged detention violates the Due Process Clause of the Fifth Amendment and Fourteenth Amendment, and 8 U.S.C. § 1231(a)(6);

5. Award Petitioner his costs and reasonable attorneys' fees in this action as provided for by the Equal Access to Justice Act, 28 U.S.C. § 2412, and other statutes;

6. Refrain from issuing a temporary stay of removal as such stay might otherwise extend the detention period pursuant to the strict terms of 8 USC § 1231.

7. Grant such further relief as the Court deems just and proper.

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Jaimie Lerner
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Dated: August 4, 2025

CERTIFICATE OF SERVICE

I, Jaimie Lerner, certify that on August 4, 2025, I caused a true and correct copy of the foregoing document to be filed and served electronically via the ECF system. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system.

Respectfully submitted,

/s/ Jaimie Lerner