

**REGIS FERNANDEZ, ESQ.
7 FEDERAL SQUARE
NEWARK, NJ 07102
regisfernandez@aol.com
973 297 0002 Tele
201 787 5584 (cell)**

September 16 2025

Via Personal Service

Hon. Katharine Hayden
U.S. District Court
Newark, NJ 07102

Re: RIVERA ZUMBA V. BONDI, 25 cv 14626 (KSH)

Dear Judge Hayden:

I represent the Petitioner.

With regards to appropriate language that would return the Petitioner to her pre-detention condition should your Honor decide to grant the habeas petition, I would respectfully suggest the following:

The Court finds that Petitioner was initially detained under INA § 235(b) in the District of New Jersey. The statutory authority for detention is tied to the procedural stage of removal, and Congress created mutually exclusive custody provisions under INA §§ 235, 236, and 241. The Department of Homeland Security may not evade these statutory limits by purporting to “release” Petitioner under one provision only to immediately re-arrest her under another without a bona fide release or change in procedural posture. Accordingly, it is hereby ORDERED that upon release from custody, Petitioner shall be permitted to travel freely to the District of New Jersey, where she was originally placed into § 235(b) detention. The Department of Homeland Security is enjoined from re-detaining Petitioner under any alternative provision of the INA based on the same grounds that supported her § 235(b) custody absent a good-faith change in her legal status or case posture. Any attempt to re-arrest Petitioner in this manner shall be deemed a violation of this Court’s order.

Thank you.

Respectfully Submitted,

s/Regis Fernandez

Regis Fernandez, Esq.

Encl.

CERTIFICATE OF SERVICE

I, Regis Fernandez, certify that today, September 16, 2025 I have personally served in person and via ECAs the attached letter on:

Frances Bajada and Alex Silage
AUSA Office
970 Broad Street, Room 700
Newark, NJ 07102

Dated: September 16, 2025

s/ Regis Fernandez
Regis Fernandez, Esq.