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8 UNITED STATES DISTRICT COURT  
9 SOUTHERN DISTRICT OF CALIFORNIA

10  
11 IVAN SALAZAR ARROYO,

12 Petitioner,

13  
14 v.

15  
16 Christopher J. Larose,  
17 *Warden, Otay Mesa Detention Center;*  
18 Gregory J. Archambeault, *Field*  
19 *Office Director, U.S. Immigration and*  
20 *Customs Enforcement;*  
21 Todd M. Lyons, *Acting Director,*  
22 *U.S. Immigration and Customs Enforcement;*  
23 Kristi Noem, *Secretary of United States*  
24 *Department of Homeland Security;*  
25 Pam Bondi, *Attorney General of the*  
26 *United States, in their official capacities,*

27 Respondents.

)  
) Case No. 3:25-cv-02190-LL-MMP

) FIRST AMENDED  
) PETITION FOR WRIT OF  
) HABEAS CORPUS

) Expedited Hearing Requested

28 INTRODUCTION

1. PETITIONER/PLAINTIFF, Ivan Salazar Arroyo ("Petitioner" or "Mr.

1 Salazar”), by and through his undersigned counsel, hereby petitions this  
2 Honorable Court to issue a writ of habeas corpus to release him on bond from  
3 his continued detention in the custody of the United States Department of  
4 Homeland Security, Immigration and Customs Enforcement (“DHS-ICE”) as  
5 his continued detention is a violation of due process, and constitutes an  
6 unlawful detention. In support of this petition, petitioner states by and through  
7 counsel as follows:  
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10

### 11 JURISDICTION

- 12 2. This action arises under the Constitution, the Immigration & Nationality Act of  
13 1990, as amended (“INA”), 8 U.S.C. §1101 et seq., and the Administrative  
14 Procedure Act (“APA”), 5 U.S.C. §701 et seq. This Court has habeas  
15 jurisdiction pursuant to 28 U.S.C. §2241, Art. 1, §9, Cl. 2 of the United States  
16 Constitution (the “Suspension Clause”); and the common law. This Court may  
17 also exercise jurisdiction pursuant to 28 U.S.C. §1331 and may grant relief  
18 pursuant to the Declaratory Judgment Act, 28 U.S.C. §2201 et seq., and the All  
19 Writs Act, 28 U.S.C. §1651.  
20  
21 3. On May 11, 2005, Congress passed the REAL ID Act of 2005, Pub. L. No. 109-  
22 13, 119 Stat. 231. The REAL ID Act divested federal district courts of  
23 jurisdiction to review final orders of deportation, exclusion and/or removal.  
24  
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1 However, federal district courts still retain jurisdiction through habeas corpus  
2 over the detention of aliens.

3  
4 VENUE

- 5 4. Venue lies in the United States District Court for the Southern District of  
6 California, the judicial district of confinement, as the petitioner is physically  
7 being held in custody at the Otay Mesa Detention Facility located in Otay  
8 Mesa, CA. This is in accordance with the decision of the United States  
9 Supreme Court in Rumsfeld v. Padilla, 124 S.Ct. 2711, 2725 (2004)  
10 (“Whenever a §2241 habeas petitioner seeks to challenge his present physical  
11 custody within the United States, he should name his warden as respondent and  
12 file the petition in the district of confinement”).  
13  
14  
15

16 REQUIREMENTS OF 28 U.S.C. § 2243

- 17  
18 5. The Court must grant the petition for writ of habeas corpus or issue an order to  
19 show cause (OSC) to the respondents “forthwith,” unless the petitioner is not  
20 entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, the  
21 Court must require respondents to file a return “within *three days* unless for  
22 good cause additional time, not exceeding twenty days, is allowed.” *Id.*  
23 (emphasis added).  
24  
25  
26 6. Courts have long recognized the significance of the habeas statute in protecting  
27 individuals from unlawful detention. The Great Writ has been referred to as  
28

1 “perhaps the most important writ known to the constitutional law of England,  
2 affording as it does a *swift* and imperative remedy in all cases of illegal restraint  
3 or confinement.” Fay v. Noia, 372 U.S. 391, 400 (1963) (emphasis added).

5 **PARTIES**

- 6
- 7 7. Petitioner, Ivan Salazar Arroyo, is a native and citizen of Mexico who has been  
8 held in continuing detention by DHS-ICE since June 19, 2025. He is currently  
9 detained at the Otay Mesa Detention Center in Otay Mesa, CA.
- 10
- 11 8. Respondent, Christopher J. Larose is sued in his official capacity as the Warden  
12 of the Otay Mesa Detention Center in Otay Mesa, CA. The warden has chief  
13 executive authority over the administration of the Otay Mesa Detention Facility.  
14 In this capacity, he has direct responsibility over the confinement of Ivan  
15 Salazar Arroyo.
- 16
- 17
- 18 9. Respondent, Gregory J. Archambeault, is sued in his official capacity as the  
19 Director of the San Diego Field Office of U.S. Immigration and Customs  
20 Enforcement. Respondent Archambeault is a legal custodian of Petitioner and  
21 has authority to release him.
- 22
- 23
- 24 10. Respondent, Todd M. Lyons, is sued in his official capacity as the Acting  
25 Director of U.S. Immigration and Customs Enforcement. Respondent Lyons is  
26 a legal custodian of Petitioner and has authority to release him.
- 27
- 28

1 11. Respondent, Kristi Noem, is sued in her official capacity as the Secretary of the  
2 U.S. Department of Homeland Security (DHS). In this capacity, Respondent  
3 Noem is responsible for the implementation and enforcement of the  
4 Immigration and Nationality Act, and oversees U.S. Immigration and Customs  
5 Enforcement the component agency responsible for Petitioner's continued  
6 detention. Respondent Noem is a legal custodian of Petitioner.  
7

8  
9 12. Respondent, Pam Bondi, is sued in her official capacity as the Attorney General  
10 of the United States and the senior official of the U.S. Department of Justice  
11 (DOJ). In that capacity, she has the authority to adjudicate removal cases and to  
12 oversee the Executive Office for Immigration Review (EOIR), which  
13 administers the immigration courts and the BIA. Respondent Bondi is a legal  
14 custodian of Petitioner.  
15  
16  
17

### 18 LEGAL FRAMEWORK

19 13. This case revolves around DHS's continued detention of individuals post an  
20 individualized bond hearing granting bond by the Immigration Judge. 8 CFR  
21 § 1003.6 allows DHS to invoke a regulatory automatic stay single handedly  
22 **overruling** an Immigration Judge's order on bond. 8 CFR § 1003.6 provides:  
23  
24

25 "Automatic stay in certain cases. In any case in which [the U.S.  
26 Department of Homeland Security ("DHS")] has determined that an  
27 alien should not be released or has set a bond of \$10,000 or more, any  
28 order of the immigration judge authorizing release (on bond or  
otherwise) shall be stayed upon DHS's filing of a notice of intent to

1 appeal the custody redetermination (Form EOIR-43) with the  
 2 immigration court within one business day of the order, and, except as  
 3 otherwise provided in 8 CFR 1003.6(c), shall remain in abeyance  
 4 pending decision of the appeal by the Board. The decision whether or  
 not to file Form EOIR-43 is subject to the discretion of the Secretary.”

5 14. Some background to the automatic stay provision is helpful. Following an  
 6 iterative process and consideration of criticism that the automatic stay  
 7 provision (in its interim rule form) would be invoked absent factual  
 8 foundation or appropriate individualized case review, the Department of  
 9 Justice (“DOJ”) issued its final rule, as quoted above. Speaking to these  
 10 concerns, the Federal Register at 71 Fed. Reg. 57874, 57878 (Oct. 2, 2006)  
 11 states:  
 12  
 13  
 14

15 “To preserve the automatic stay, the attorney for DHS shall file with the  
 16 notice of appeal a certification by a senior legal official that— (i) The  
 17 official has approved the filing of the notice of appeal according to review  
 18 procedures established by DHS; and (ii) The official is satisfied that the  
 19 contentions justifying the continued detention of the alien have evidentiary  
 20 support, and the legal arguments are warranted by existing law or by a non-  
 21 frivolous argument for the extension, modification, or reversal of existing  
 precedent or the establishment of new precedent.”<sup>1</sup>

22 <sup>1</sup> On October 2, 2006, DOJ published the final rule in the Federal Register (Vol. 71, No. 190) and set forth the  
 23 following context for changes implemented to the final rule following public comment on the interim rule:  
 24 First, in order to allay possible concerns that in some cases the automatic stay might be invoked by low-level  
 25 employees of DHS without supervisory review, or might be invoked without an adequate factual or legal basis, this  
 26 rule makes two changes in the process for invoking the automatic stay. The final rule provides that the decision to  
 27 file the Form EOIR-43 (which must be done within one business day of the immigration judge’s custody decision)  
 28 will be subject to the discretion of the Secretary. Under the provisions of the automatic stay rule which are not  
 changed by this final rule, the automatic stay will lapse 10 business days after the issuance of the immigration  
 judge’s decision unless DHS files within that time a notice of appeal with the Board presenting DHS’s arguments for  
 reversal or modification of the immigration judge’s custody decision. This rule adds a new requirement that, in  
 order to preserve the automatic stay, a senior legal official of DHS must certify that the official has approved the  
 filing of the notice of appeal to the Board and that there is factual and legal support justifying the continued  
 detention of the alien.

1 15. Past experience shows that DHS has invoked the automatic stay in **only a**  
2 **select number of custody cases**. For example, the EOIR statistics indicate  
3 that, in FY 2004, the immigration judges conducted some 33,000 custody  
4 hearings and the Board adjudicated 1,373 custody appeals. Yet, DHS sought  
5 an automatic stay only with respect to 273 aliens in FY 2004—and only 43  
6 aliens in FY 2005. 71 Fed. Reg. 57874, 57878 (Oct. 2, 2006).

7  
8  
9  
10 16. Lastly, the Government issued a memorandum on July 8, 2025, to all ICE  
11 employees, titled “Interim Guidance Regarding Detention Authority for  
12 Applications for Admission.” In the memo, the Government provides in  
13 relevant part:  
14

15 “Effective immediately, it is the position of DHS that [applicants for  
16 admission under section 235(a)(1) of the Immigration and Nationality Act]  
17 are subject to detention under INA § 212(b) and may not be released from  
18 ICE custody except by INA § 212(d)(4) parole. These aliens are also  
19 ineligible for a custody redetermination hearing (“bond hearing”) before  
20 an immigration judge and may not be released for the duration of their  
21 removal proceedings absent a parole by DHS. For custody purposes, these  
22 aliens are not treated in the same manner that “arriving aliens” have  
23 historically been treated.”

24 17. This memorandum appears to explain DHS’s position regarding refusing to  
25 release individuals granted a bond.

26 **STATEMENT OF FACTS**  
27  
28

1 18.Ivan Salazar Arroyo is a 42 year-old, native and citizen of Mexico, and initially  
2 entered this country in or about 2004; over 21 years ago. He was never  
3 apprehended by border agents and entered the U.S. without inspection.

4  
5 19.Having resided in the U.S. for over 21 years; he has extensive family ties  
6 including his U.S. Citizen wife; Yoanna Yajaira Salazar, and his U.S. Citizen  
7 children: Eddy Mayorga (step-son), Miguel Bautista (step-son), Briseida  
8 Bautista (step-daughter), and Ivan Salazar Jr. (son). He has worked in  
9 construction for many years.  
10

11  
12 20.He was encountered by agents of ICE during a Los Angeles-area operation at  
13 Home Depot on June 19, 2025 aka "the Los Angeles ICE Raids". Mr. Salazar  
14 currently has pending removal proceedings pursuant to 8 CFR §1240.  
15

16  
17 21.While his removal proceedings are pending, the Immigration Judge ("IJ")  
18 granted a bond of \$7,500 pursuant to 8 USC §1226(a)(2)(A). **See Order of**  
19 **Immigration Judge, Exhibit A** On July 21, 2025, The Department of  
20 Homeland Security filed a form EOIR-43: Notice of ICE intent to Appeal  
21 Custody Redetermination; effectively automatically staying the Immigration  
22 Judge's decision pursuant to 8 CFR § 1003.6 signed by Saida K Ulle Assistant  
23 Chief Counsel; notably without certification by a senior legal official. **See**  
24 **EOIR-43, Exhibit A.** As detailed *supra*, this provides a stay of the  
25 Immigration Judge's bond order that lasts through appeal to the Board of  
26  
27  
28

1 Immigration Appeals that lapses should no appeal be filed within 10 business  
2 days. *See* 8 CFR § 1003.6.

3  
4 22. Under this administration, it appears the use of an EOIR-43 and appealing the  
5 Immigration Judge is intended to keep the alien detained until their deportation  
6 or they give up and sign their removal given these were rarely invoked;  
7 according to the 2005 statistics listed in the federal register.

8  
9 23. On July 29, 2025, Petitioner was notified an appeal was filed on July 28, 2025.  
10  
11 **See BIA Receipt and IJ Bond Memorandum, Exhibit A.** To this date, Mr.  
12 Salazar has been detained for over 70 days pending removal proceedings. His  
13 next hearing before the Immigration Judge is scheduled for September 10,  
14 2025.

15  
16 24. If released, Mr. Salazar would return to his home in Los Angeles, CA and  
17 reside with his family; who have promised to provide shelter and take him to all  
18 of his future hearing dates.  
19  
20

### 21 EXHAUSTION OF REMEDIES

22 25. There is no statutory exhaustion requirement in 28 U.S.C § 2241. However, the  
23 Court may require prudential exhaustion. Courts may waive the prudential  
24 exhaustion requirement if “administrative remedies are inadequate or not  
25 efficacious, pursuit of administrative remedies would be a futile gesture,  
26 irreparable injury will result, or the administrative proceedings would be void.”  
27  
28

1 Laing v. Ashcroft, 370 F.3d 994, 1000 (9th Cir. 2004) (quoting S.E.C. v. G.C.  
2 George Sec., Inc., 637 F.2d 685, 688 (9th Cir. 1981). In detention cases,  
3  
4 appeals to the Board of Immigration Appeals (BIA) can take months or years.  
5 Thus, requiring habeas petitioners to appeal to the BIA to prudentially exhaust  
6  
7 is not efficient, would cause irreparable harm by continuing to deprive a person  
8  
9 of their liberty, and/or would be futile.

10 26. Petitioner, Ivan Salazar Arroyo, has exhausted his administrative remedies to  
11 the extent required by law, and his only remedy is by way of this judicial action.  
12 Despite the fact that Mr. Salazar was granted a bond, the Department of  
13  
14 Homeland Security has automatically stayed the Immigration Judge's decision  
15 without due process to the Petitioner. Given an appeal before the BIA is likely  
16  
17 to exhaust months where Mr. Salazar will continue to be deprived of his life and  
18  
19 liberty; requiring waiting for DHS to brief the issue and waiting for the BIA to  
20  
21 decide on the appeal causes irreparable harm to Mr. Salazar.

22 27. Additionally, while Mr. Salazar is detained, his removal proceedings continue  
23  
24 in an expedited manner intended on ordering deportation before release; such  
25  
26 that he is no longer eligible for a bond post-removal order.

27 28. Further, wherefore any efforts to obtain release from custody from the  
28  
Department of Homeland Security or from the Board of Immigration Appeals  
would be futile.

1 29. Lastly, Mr. Salazar is currently in removal proceedings, so there is no  
2 possibility of removal in the near future until proceedings are completed. The  
3 federal district court retains authority to grant release on bond or any other  
4 condition of release.  
5

## 6 CLAIMS FOR RELIEF

### 7 **COUNT ONE**

#### 8 **Violation of Fifth Amendment Right to Due Process**

9  
10 30. Continued detention, despite a favorable bond ruling, constitutes a violation of  
11 the Fifth Amendment's Due Process Clause. The Fifth Amendment's Due  
12 Process Clause requires that immigration detention and bond proceedings  
13 adhere to fundamental principles of fairness and procedural protections. *See*  
14 U.S. Const. amend. V; Mathews v. Diaz, 426 U.S. 67, 78, 96 S. Ct. 1883, 48 L.  
15 Ed. 2d 478 (1976); *see also* Zadvydas, 533 U.S. at 690 (civil detention violates  
16 due process unless special, nonpunitive circumstances outweigh an individual's  
17 interest in avoiding restraint); Mathews v. Eldridge, 424 U.S. 319, 334-35, 96 S.  
18 Ct. 893, 47 L. Ed. 2d 18 (1976) (due process is flexible, and the protections  
19 depend on the situation, considering the private interest at issue, the risk of  
20 erroneous deprivation of that interest through the procedures used, and the  
21 Government's interest). These protections extend to deportation proceedings.  
22 Reno v. Flores, 507 U.S. 292, 306, 113 S. Ct. 1439, 123 L. Ed. 2d 1 (1993).  
23  
24  
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1 31. Although the Immigration Judge had ordered Petitioner to be released on bond,  
2 by filing an EOIR-43, the Government stayed that order without making any  
3 showing of dangerousness, flight risk, or any other factor justifying detention.  
4 "Simply by fiat—without introducing any proof and without immediate judicial  
5 review—the Government effectively overruled the bond decision and kept  
6 Petitioner detained." Mohammed H. v. Trump, 2025 U.S. Dist. LEXIS 117197.  
7 Similarly here, the Government has given Petitioner no chance to contest the  
8 Government's case for detention. Mathews, 424 U.S. at 348-49 ("The essence  
9 of due process is the requirement that a person in jeopardy of serious loss (be  
10 given) notice of the case against him and opportunity to meet it.") The  
11 government's invocation of the automatic stay here contorts 8 CFR § 1003.6  
12 into an unfair procedure. *Cf. Bridges*, 326 U.S. 135, 152-53, 65 S. Ct. 1443, 89  
13 L. Ed. 2103 (administrative rules are designed to afford due process and to  
14 serve as "safeguards against essentially unfair procedures").  
15  
16  
17  
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20

21 32. Here, DHS's application of the automatic stay violates substantive and  
22 procedural due process rights by allowing DHS to unilaterally override an  
23 immigration judge's bond decision; 8 C.F.R. 1003.19(i)(2) depriving individuals  
24 of a meaningful opportunity to challenge their detention.  
25

26 33. Under the circumstances of this case, invoking the automatic stay violated  
27 Petitioner's substantive and procedural due process rights. Mr. Salazar has been  
28

1 granted a legal pathway to release by a neutral adjudicator (the IJ). The IJ took  
2 into account the entirety of the evidence submitted, and decided that Petitioner  
3 was not a risk of flight nor a danger to society. ICE's unilateral refusal to honor  
4 that order is arbitrary and unjust, and renders the IJ's order meaningless.  
5

6  
7 34. For those reasons, petitioner's continued detention is a violation of his 5<sup>th</sup>  
8 Amendment due process rights.  
9

## 10 **COUNT TWO**

11 **The Government failed to comply with the requirements set out under 8**  
12 **C.F.R. § 1003.6(c)(1) and the automatic stay should have lapsed**

13 35. As addressed supra, DHS must file with the notice of appeal a certification by a  
14 senior legal official that— (i) The official has approved the filing of the notice  
15 of appeal according to review procedures established by DHS; and (ii) The  
16 official is satisfied that the contentions justifying the continued detention of the  
17 alien have evidentiary support, and the legal arguments are warranted by  
18 existing law or by a non-frivolous argument for the extension, modification, or  
19 reversal of existing precedent or the establishment of new precedent. 71 Fed.  
20 Reg. 57874, 57878 (Oct. 2, 2006). The addition of this requirement according  
21 to the Federal Register is to avoid the abuse of this section by a lower-level  
22 officer.  
23  
24  
25

26 36. Here, in its haste to deny release to all individuals granted a bond, DHS in this  
27 case has not made any individualized determination as to whether to invoke the  
28

1 automatic stay provision as articulated by § 1003.6(c)(1). Additionally, DHS's  
2 notice has failed to comply with its own standards and lacks the certification  
3 required by a supervising legal official pursuant to 8 C.F.R. § 1003.6(c)(1).  
4

5 37. Accordingly, DHS should accept the bond and release the petitioner.  
6

### 7 **COUNT THREE**

8 **The Government's application of the automatic stay is *ultra vires*, exceeding**  
9 **authority conferred by Congress.**

10 38. Under the principle of *ultra vires*, an agency regulation is invalid if it exceeds  
11 the authority granted to the agency by Congress. The statutory framework of the  
12 INA, specifically 8 USC § 1226, grants immigration judges discretionary  
13 authority to determine whether an individual may be released on bond.  
14

15 However, 8 C.F.R. 1003.19(i)(2) allows DHS to impose an automatic stay on an  
16 immigration judge's bond decision, effectively nullifying the judge's discretion.  
17

18 This regulation transforms a discretionary decision into a mandatory detention  
19 imposed by DHS, which is contrary to the express intent of Congress. Courts  
20 have similarly held that 8 C.F.R. 1003.19(i)(2) exceeds the statutory authority  
21 granted to the Attorney General under the INA because it undermined the  
22 discretionary authority of immigration judges. Anicasio v. Kramer, 2025 U.S.  
23 Dist. LEXIS 157236. Similarly, another court found the regulation *ultra vires*  
24 because it eliminated the discretionary authority of immigration judges, thereby  
25  
26  
27  
28

1 exceeding the authority granted to DHS under 8 U.S.C. 1226(a). Zabadi v.  
2 Chertoff, 2005 U.S. Dist. LEXIS 50670.

3  
4 39. Similar to the petitioners in Anicasio and Zabadi, this court should find that  
5 DHS's imposition of the automatic stay invalidates an Immigration Judge's  
6 decision without any justification. DHS is showing its willingness to abuse this  
7 statute without even following the regulations set out in 8 C.F.R. § 1003.6(c)(1)  
8 thus allowing deprivation of liberty without factual foundation or appropriate  
9 individualized case review.  
10

11  
12 40. Finally, the automatic stay provision does not impose strict time limits for the  
13 resolution of the appeal by the BIA, which can result in prolonged detention  
14 without a final decision. This creates a substantial risk of erroneous deprivation  
15 of liberty, as detainees remain in custody based solely on ICE's invocation of  
16 the stay, often without any substantive review of the underlying bond decision.  
17 Bezmen v. Ashcroft, 245 F. Supp. 2d 446, Ashley v. Ridge, 288 F. Supp. 2d  
18 662, Mohammed H. v. Trump, 2025 U.S. Dist. LEXIS 88471.  
19  
20

21  
22 41. While ICE has the right to appeal the IJ's bond decision to the BIA, such an  
23 appeal should not automatically stay the IJ's order. The Attorney General's  
24 discretionary authority over bond decisions is not absolute and is subject to  
25 judicial review for constitutional claims and legal errors. Perez v. Napolitano,  
26 2016 U.S. Dist. LEXIS 63667, 8 USCS § 1226. In this case, even if the Bond  
27  
28

1 were appealed and sustained, the case would return back to the Immigration  
2 Judge to enter a new decision based on the Board of Immigration Appeals'  
3 decision.  
4

5 42. At that point, Mr. Salazar would retain the right to pursue all legal remedies  
6 available to him, which could eventually take him back to the Board of  
7 Immigration Appeals, or the Ninth Circuit. Keeping him in detention at the  
8 Otay Mesa Detention facility during this entire time would "effectively punish  
9 Mr. Salazar for pursuing applicable legal remedies." Leslie v. Attorney General  
10 of the United States, 678 F.3d 265, 271 (3d Cir. 2012).  
11  
12

13  
14 43. Here, ICEs continued detention of Petitioner without bond, despite the IJs  
15 determination, constitutes an unlawful deprivation of liberty and creates the risk  
16 of unlawful prolonged detention.  
17

### 18 PRAYER FOR RELIEF

19 Wherefore, Petitioner respectfully requests this Court to grant the following:  
20

- 21 (1) Assume jurisdiction over this matter;  
22  
23 (2) Issue an Order to Show Cause ordering Respondents to show cause  
24 why this Petition should not be granted within *three* days.  
25  
26 (3) Declare that Mr. Salazar is being detained pursuant to 8 USC §  
27 1226(a) per order of the Immigration Judge;  
28

1 (4) Declare that Mr. Salazar's detention violates the Due Process Clause  
2 of the Fifth Amendment;

3  
4 (5) Issue an order to ICE to accept payment of the bond amount set by the  
5 immigration judge;

6  
7 (6) Issue a Writ of Habeas Corpus ordering Respondents to immediately  
8 release Petitioner upon payment of the bond amount set by the immigration  
9 judge;

10  
11 (7) Award Petitioner attorney's fees and costs under the Equal Access to  
12 Justice Act, 28 U.S.C. §2412, and on any other basis justified under law; and

13  
14 (8) Grant any further relief this Court deems just and proper.

15 Grant any other and further relief that this Honorable Court deems just and proper.  
16  
17

18 Respectfully submitted,

19 Ivan Salazar Arroyo

20  
21 By his attorney:

22 Dated: 09/08/2025 Signed: /s/ Mitchell H. Shen  
23

24 MITCHELL H. SHEN, ESQ.

25 Attorney for Petitioner

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VERIFICATION OF COMPLAINT

I, Mitchell H. Shen, Esq., state under penalty of perjury that I am the attorney for the petitioner Ivan Salazar Arroyo in the foregoing petition, and declare the facts alleged here to be true, except those made on information and belief, which I believe to be true, and further state that the sources of my information and belief are documents and information provided to me by the petitioner and his associates and family members.

Los Angeles, CA

Signed: /s/ Mitchell H. Shen

Dated: 09/08/2025

MITCHELL H. SHEN, ESQ.  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing was served via email to:

Erin Dimbleby  
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Date: 09/08/2025

Signature: /s/ Mitchell H. Shen  
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<b>Exhibit</b>	<b>Document</b>	<b>Page(s)</b>
A	1. Order of the Immigration Judge Granting Bond.....	1-2
	2. EOIR-43: Notice of Intent to Appeal.....	3
	3. BIA Receipt.....	4-6
	4. Bond Memorandum of the Immigration Judge.....	7-10

**Petition for Writ of Habeas Corpus**  
**Ivan Salazar Arroyo**  
**Case No: 3:25-cv-02190-LL-MMP**