UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION

AMM, *Petitioner,* v. **BOBBY THOMPSON,** Warden, South Texas ICE Processing Center; **MIGUEL VERGARA,** Field Office Director, San Antonio Field Office, United States Immigration and Customs Enforcement; **TODD M. LYONS,** Acting Director, United States Immigration and Customs Enforcement; **KRISTI NOEM,** Secretary of Homeland Security; **PAMELA BONDI,** United States Attorney General, *in their official capacities,* *Respondents.*	Case No. 5:25-cv-1210 **PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241 OR ORDER TO SHOW CAUSE WITHIN THREE DAYS**

PETITION FOR A WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241 OR ORDER TO SHOW CAUSE WITHIN THREE DAYS

I. INTRODUCTION

1. Petitioner AMM respectfully requests this Court to grant her a Writ of Habeas Corpus and order Respondents to release her from custody under reasonable conditions of supervision, or in the alternative, provide her an immediate bond hearing. She is seeking habeas relief under 28 U.S.C. § 2241, which is the proper vehicle for challenging civil immigration detention. *See Zadvydas v. Davis*, 533 U.S. 678, 687–88 (2001).

2. Ms. M asks the Court to "award the writ or issue an order directing the respondent[s] to show cause why the writ should not be granted," within *three days*, as prescribed by statute. 28 U.S.C. § 2243.

II. CUSTODY

3. Petitioner AMM or Ms. M is in the physical custody of Respondents. She is detained at South Texas ICE Processing Center ("STIPC") in Pearsall, Texas. She is under the direct control of Respondents and their agents.

III. JURISDICTION AND VENUE

4. Jurisdiction is proper under 28 U.S.C. §§ 1331, 2241, and the Suspension Clause, U.S. Const. art. I, § 9, clause 2.

5. Pursuant to 28 U.S.C. § 2241, district courts have jurisdiction to hear habeas petitions by noncitizens who challenge the lawfulness of their detention under federal law. *Demore v. Kim*, 538 U.S. 510, 516–17 (2003); *Zadvydas*, 533 U.S. at 687; *Maldonado v. Macias*, 150 F. Supp. 3d 788, 794 (W.D. Tex. 2015).

6. Venue is proper in the United States District Court for the Western District of Texas because at least one Respondent is in this District, the Petitioner is detained in this District, and the Petitioner's immediate physical custodian is in this District. 28 U.S.C. § 1391(b).

IV. PARTIES

7. Petitioner Ms. M is currently detained by Respondents at STIPC. She has been in ICE custody since September 15, 2025. She was only briefly outside of STIPC at a local hospital for less than a day following a heart episode, before she was placed back in a cell.

8. Respondent Bobby Thompson is the Warden for STIPC. He is the legal custodian of Petitioner and is named in his official capacity.

9. Respondent Miguel Vergara is the Field Office Director responsible for the San Antonio Field Office of ICE with administrative jurisdiction over Petitioner's case. He is a legal custodian of Petitioner and is named in his official capacity.

10. Respondent Todd Lyons is the Acting Director of ICE. He is a legal custodian of Petitioner and is named in his official capacity.

11. Respondent Kristi Noem is the Secretary of the United States Department of Homeland Security (DHS). She is a legal custodian of Petitioner and is named in her official capacity.

12. Respondent Pamela Bondi is the Attorney General of the United States Department of Justice. She is a legal custodian of Petitioner and is named in her official capacity.

V. STATEMENT OF FACTS

13. Ms. M is a national of Argentina. She is 63 years old. She entered the United States on or about September 13, 2023.

14. Ms. M entered on a visa waiver program known as the Electronic System for Travel Authorization or "ESTA" visa waiver program.

15. Under this program, a non-citizen from a participating country may enter the United States for up to 90 days for tourism or business. *See* 8 U.S.C. § 1187.

16. While Ms. M was present in the United States, she decided to affirmatively apply for asylum in the United States by submitting an application to USCIS. *See* Ex. 1. Her application has been pending with USCIS since December 3, 2023. *Id.* In her native country of Argentina, Ms. M worked for her daughter's law firm. As part of the actions of that firm, Ms. M would pursue actions against corrupt government officials in Argentina, resulting in her persecution.

17. Following her affirmative asylum application, Ms. M received work authorization, and eventually, a Texas state driver's license. Exs. 2, 3. She was also commissioned by the Texas government as a state Notary Public. Ex. 4.

18. On September 15, 2025, Ms. M was arrested on I-35 in Austin and placed in the custody of ICE. Ex. 5, ¶ 6. For hours after her arrest, Ms. M was unable to eat or relieve herself because ICE did not provide any food she could eat and the only available toilet was clogged. *Id.* ICE also did not provide Ms. M with any of the prescribed medications required to manage her health conditions. *Id.*; Ex. 6.

19. On or around September 17, 2025, ICE transferred Ms. M to the South Texas ICE Processing Center in Pearsall, Texas, where she remains detained. Ex. 5, ¶ 6; *see also* Ex. 7. To date, ICE has not yet entered a Notice to Appear initiating removal proceedings.

20. Ms. M has many health complications, including but not limited to high blood pressure, asthma, a heart condition, a thyroid disorder, hiatal hernia, severe osteoporosis, cataracts in both eyes, colon polyps, urinary incontinence, depression, and lumbar spinal stenosis requiring surgical fusion. Ex. 5, ¶¶ 4–5; *see also* Exs. 8–10.

21. These health problems are difficult to manage in detention and can become life-threatening without proper treatment. These conditions require Ms. M to take regular medication, including airsupra, albendazole, diclofenac, famotidine, levothyroxine, and pantoprazole. Ex. 5, ¶ 4; Ex. 11. To effectively prevent her health conditions from getting out of control, Ms. M must take medication daily. Ex. 5, ¶ 4; Ex. 11. However, when Ms. M has been in detention, ICE has frequently failed to provide the medications her health requires. *See, e.g.*, Ex. 6.

22. On September 17, after being transferred to STIPC, Ms. M felt nauseous. Ms. M began to vomit, and vomited what she believed was blood. Ex. 5, ¶ 6.

23. Ms. M's adult daughter, VMB, called STIPC several times that day and asked that Ms. M be permitted to see a doctor. *Id.* Ms. M also used STIPC's internal system to request a visit with a doctor. *Id.* However, Ms. M was not taken to see the medical staff at STIPC until approximately eight hours after she believed she needed medical help. *Id.*

24. When ICE finally allowed Ms. M to be seen by a doctor, there was a language barrier. The doctor only spoke English, which Ms. M does not fully understand. However, Ms. M believed that the doctor wrote the word "urgent" in his notes at least two times. Even so, ICE did not provide Ms. M with any medication following the doctor's visit.

25. Ms. M did not receive medication in detention from the time she was arrested by ICE on September 15, 2025, until September 18, 2025, when she experienced a medical crisis. Ex. 5, ¶ 6; Ex. 6. On September 18, 2025, Ms. M experienced sharp chest pain and a dangerous elevation to her heart rate and blood pressure. Ex. 5, ¶ 7; Ex. 6. She felt that her heart was about to stop and that she was about to lose consciousness. Ex. 5, ¶ 7. The detention center staff called an ambulance to take her to the Emergency Room of the local hospital. Ex. 5, ¶ 7; Ex. 12.

26. Ms. M received emergency medical assistance during the ambulance ride, while she was shackled. Ex. 5, ¶ 8. The medical technicians put medication under her tongue to attempt to stabilize her before she arrived at the hospital. *Id.*

27. When she arrived at the Emergency Room at Frio Regional Hospital, the hospital staff noted down her history of tachycardia, hypertension, hypothyroidism, and asthma. Ex. 10. The ER staff performed an EKG within a few minutes of her arrival. Ex. 13. In addition to

experiencing severe chest pain, Ms. M was dehydrated, and the hospital staff hooked her up to an IV. Exs. 13–14. Because she was still shackled at the hospital and the chains were holding her arm taut, it took several tries for the hospital staff to get the IV needle in the vein successfully. Ex. 5, ¶ 8.

28. Ms. M remained at the hospital for several hours hooked up to an IV before the ER staff determined she was stable enough to be discharged. *Id.*; Ex. 13. She was immediately returned to the detention center and thereafter to her cell. *See* Ex. 5, ¶ 9. She was shackled for the entire ambulance ride and hospital ER visit. *Id.* ¶ 7–8; *see also* Ex. 13.

29. Less than a week after returning from the hospital, Ms. M experienced another medical crisis. In the early hours of September 24, 2025, she received chlorpheniramine from a nurse at the facility. Ex. 5, ¶ 10. Then, at approximately 3:00 A.M. on September 24, her body began to retain liquid and her legs swelled to the extent that she became unable to walk. *Id.* She also began losing sensation in her left hand and felt a continuous sharp pain in her right kidney area. *Id.* At approximately 4:00 A.M., when a guard came to her cell, she requested urgent medical care both verbally and through a written form. *Id.* However, over 6 hours passed with no response from the detention center and no provision of medical care. *Id.* When medical staff eventually saw her, they only addressed the need for medication for a urinary tract infection, not anything else. *Id.*

30. At the detention center, Ms. M does not have access to soap or hot water. *See id.* ¶ 11. There is only one frequently clogged bathroom with no door, and it is for around 25 people. *Id.* She also does not have a mattress because of overcrowding and the hard floor has been exacerbating her painful lumbar condition and aggravating her fractured vertebrae. *Id.* The

cold temperatures inside the detention center, to which she is especially sensitive because of her thyroid problems, have also been triggering her asthma. *Id.*

31. Ms. M is not a flight risk or danger. As to flight risk, Ms. M has remained consistently in the United States for more than two years and has reported herself to the federal government during that time. *See* Ex. 1. She has a pending affirmative asylum application, and a strong interest in reaching a conclusion on this claim. *Id.* Her daughter is a lawyer applying for admission to a state bar in the United States. Ex. 5, ¶ 2.

32. She is also not a danger to the community. Ms. M has no criminal history whatsoever. *Cf.* Ex. 15. She is a law-abiding mother and a highly educated professional with degrees in education, psychology, and related fields. She has only remained in the U.S. because she had lawful presence and work authorization pursuant to her affirmative asylum application.

33. However, because Ms. M entered through the visa waiver program, under current BIA precedent, Ms. M cannot seek a bond hearing to demonstrate she is neither a flight risk nor a danger. *See Matter of A-W-*, 25 I. & N. Dec. 45, 48 (BIA 2009). She thus remains in ICE custody, putting her health at serious risk.

VI. LEGAL FRAMEWORK

A. Ms. M is detained under 8 U.S.C. § 1226, and therefore, the Immigration Judge has jurisdiction to grant bond.

34. The Visa Waiver Program ("VWP") "allows travel without a visa for short-term visitors from 38 countries that have entered into a 'rigorous security partnership' with the United States." *Trump v. Hawaii*, 138 S. Ct. 2392, 2411 (2018).

35. This Program allows visiting noncitizens to enter and stay in the United States as tourists for up to ninety days without securing a nonimmigrant visa. 8 U.S.C. § 1187(a).

36. However, in exchange for expedited entry without a visa, Program participants waive all rights to contest actions for removal other than applying for asylum. *Id.* § 1187(b).

37. In *Matter of A-W-*, 25 I. & N. Dec. 45 (BIA 2009), the Board of Immigration Appeals ("BIA") held that Immigration Judges lack jurisdiction to hold bond determination hearings for VWP holders. *Matter of A-W-*, 25 I. & N. Dec. 45, 48 (BIA 2009).

38. Specifically, *Matter of A-W-* found that the statutory authority to detain VSP holders is 8 U.S.C. § 1187(c)(2)(E), the general VWP provision, and not 8 U.S.C. § 1226, the provision for detaining most noncitizens. *Id.* at 47–48. Critically, 8 U.S.C. § 1226(a) allows the Attorney General to release noncitizens on bond if they do not fall under the circumstances outlined in 8 U.S.C. § 1226(c). *Jennings v. Rodriguez*, 583 U.S. 281, 288 (2018) (citing 8 U.S.C. § 1226(a)).

39. The BIA justified their holding that VWP holders are ineligible for bond hearings by noting that the Attorney General no longer retains authority to grant bonds to noncitizens detained under § 1187. *A-W-*, 25 I. & N. Dec. at 47–48. Under that reasoning, the Immigration Judges, who derive their authority from delegation by the Attorney General, do not have authority to grant bonds to noncitizens detained under § 1187. *Id.* at 48.

40. Because *Matter of A-W-* held that VWP holders are detained under § 1187, the BIA thus held that VWP holders are ineligible for bond hearings by an Immigration Judge. *Id.* at 47–48.

41. Since *Matter of A-W-*, United States District Courts across the country have criticized the BIA decision and found that VWP holders *are* entitled to bond hearings by an Immigration Judge. *See Szentkiralyi v. Ahrendt*, No. CV 17-1889 (SDW), 2017 WL 3477739, at *3–4, *6 (D.N.J. Aug. 14, 2017) (rejecting *Matter of A-W-* and finding VWP habeas petitioner eligible for bond); *Emila N. v. Ahrendt*, No. CV 19-5060 (SDW), 2019 WL 1123227, at *3 (D.N.J.

Mar. 12, 2019) (same); *Gjergj G. v. Edwards*, No. CV 19-5059 (SDW), 2019 WL 1254561, at *3 (D.N.J. Mar. 18, 2019) (same); *Sutaj v. Rodriguez*, No. CV 16-5092 (JMV), 2017 WL 66386, at *5 (D.N.J. Jan. 5, 2017) (same); *Neziri v. Johnson*, 187 F. Supp. 3d 211, 216, 213 (D. Mass. 2016) (ordering bond hearing for VWP habeas petitioner and noting that *Matter of A-W-* offers "no explanation" as to "where in 8 U.S.C. § 1187(c)(2)(E), the BIA finds the Secretary of Homeland Security's authority to detain aliens"); *Romance v. Warden York Cnty. Prison*, No. 3:20-CV-00760, 2020 WL 6054933, at *4 (M.D. Pa. July 28, 2020), *report and recommendation adopted*, No. 3:20-CV-760, 2020 WL 6047594 (M.D. Pa. Oct. 13, 2020) (ordering bond hearing for VWP habeas petitioner because § 1187 "does not itself provide for detention of VWP aliens"); *Malets v. Horton*, No. 420CV01041MHHSGC, 2021 WL 4197594, at *2, *2 n.6, and *6 (N.D. Ala. Sept. 15, 2021) (ordering bond hearing for VWP holder and noting that "the biggest roadblock to the government's claim that § 1187(c)(2)(E) provides detention authority is the code section's failure to mention detention at all").

42. District Courts that reject *Matter of A-W-* and find VWP holders eligible for a bond hearing by an Immigration Judge do so for three reasons. First, courts note that Congress spoke clearly that § 1226 is the statutory authority for detaining individual immigrants—so much so that even during the *Chevron* era, courts were unwilling to give deference to the BIA on *Matter of A-W-*. Second, courts find that § 1187 only limits the substantive relief from removal for which VWP entrants are eligible (i.e. applicants are restricted to applying for asylum only). Consequently, allowing alleged VWP violators to request a bond determination hearing does not frustrate the intent of the VWP program to limit the types of substantive relief available because a bond determination is a procedural, not substantive,

function. Third, courts note that *nowhere* in § 1187 does the statute set out its detention authority for VWP holders and thus § 1226 governs.

43. Regarding the first reason, District Courts find that *Matter of A-W-* is not entitled to *Chevron* deference because Congress already established that § 1226 is the statutory authority for detaining immigrants. *Chevron, U.S.A., Inc. v. Nat. Res. Def. Council, Inc.*, 467 U.S. 837, 842–43 *overruled by Loper Bright Enters. v. Raimondo*, 603 U.S. 369 (2024) ("If the intent of Congress is clear, that is the end of the matter; for the court, as well as the agency, must give effect to the unambiguously expressed intent of Congress."). *See, e.g.*, *Neziri*, 187 F. Supp. 3d at 213 (finding *Matter of A-W-* not entitled to *Chevron* deference because Congress "directly spoke[] to the precise question at issue, giving the Secretary of Homeland Security the authority to detain and release aliens under 8 U.S.C. § 1226"); *Sutaj*, 2017 WL 66386, at *5 (same); *Szentkiralyi*, 2017 WL 3477739, at *4 (same). Here, Congress clearly outlines the detention authority in § 1226 to detain individuals. *Id.* Thus, even during the *Chevron* era, courts were mandated by statute to find that such detainees are detained under § 1226. In our post-*Chevron* era, the conclusion that § 1226 governs here is even clearer. Given that the Attorney General has delegated authority to Immigration Judges to decide custody determinations under that statute, people who entered on a visa waiver are entitled to a bond hearing. *See* 8 C.F.R. §§ 1003.19, 1236.1; *see also* 28 U.S.C. § 510 (permitting the Attorney General to delegate her function to officers or employees within the Department of Justice).

44. Regarding the second reason, District Courts reject *Matter of A-W-* and find VWP holders eligible for a bond hearing under § 1226 because § 1187 only limits the substantive relief from removal for which VWP entrants qualify (i.e. applicants are restricted to applying for asylum only). Thus, allowing VWP violators to request a bond determination hearing does

not frustrate the intent of the VWP program to limit the types of substantive relief available because a bond determination is a procedural, not substantive, function. *See, e.g.*, *Sutaj*, 2017 WL 66386, at *5 (stating that VWP holders are entitled to a bond hearing because a bond hearing "does not frustrate the intent of the VWP program to limit the types of substantive relief available" since a "bond determination is a procedural, not substantive, function"); *Szentkiralyi*, 2017 WL 3477739, at *4 (same).

45. Regarding the third reason, District Courts reject *Matter of A-W-* and find VWP holders eligible for a bond hearing under § 1226 because *nowhere* in § 1187 does the statute set out its detention authority for VWP holders. *See Neziri*, 187 F. Supp. 3d at 213 (noting that *Matter of A-W-* offers "no explanation" as to "where in 8 U.S.C. § 1187(c)(2)(E), the BIA finds the Secretary of Homeland Security's authority to detain aliens"); *Romance*, 2020 WL 6054933, at *4 (ordering bond hearing for VWP habeas petitioner because § 1187 "does not itself provide for detention of VWP aliens"); *Malets*, 2021 WL 4197594, at *6, *2 & n.6 (N.D. Ala. Sept. 15, 2021) (ordering bond hearing for VWP holder and noting that "the biggest roadblock to the government's claim that § 1187(c)(2)(E) provides detention authority is the code section's failure to mention detention at all"). Put simply, the BIA cannot find detention authority where Congress has not provided for it.

46. In sum, because Congress established that § 1226 is the statutory authority for detaining immigrants, allowing bond hearings does not frustrate the substantive limitations of the VWP program, and § 1187 contains no authority to detain VWP holders, Petitioner respectfully requests that the Court find Petitioner eligible for a bond hearing before an Immigration Judge.

B. Ms. M's detention violates her substantive and procedural due process rights.

47. Confinement for noncriminal purposes is only allowed "in narrow nonpunitive circumstances, where a special justification . . . outweighs the individual's constitutionally protected interest in avoiding physical restraint." *Zadvydas*, 533 U.S. at 690 (internal quotations and citations omitted).

48. With respect to immigration confinement, the Supreme Court has recognized two special justifications: preventing danger to the community or flight from immigration enforcement. *See id.*

49. Respondents' confinement of Ms. M is wholly unjustified with respect to either justification.

50. As argued above, Ms. M is not a flight risk or a danger. She has ties to the United States. Indeed, she has reported herself to the government by filing an affirmative asylum application with the Department of Homeland Security. She also has a strong interest in seeing that application adjudicated.

51. Further, Ms. M is a 63-year-old mother with no criminal record. There is no evidence that she is a danger to the community.

52. Respondents' continued immigration confinement of Ms. M, therefore, no longer bears a "reasonable relation" to any legitimate, nonpunitive government purpose. *Zadvydas*, 533 U.S. at 690.

53. At the very least, procedural due process requires that she should not be detailed without procedural safeguards. The constitutional sufficiency of procedures is determined by weighing three factors: (1) the private interest that will be affected by the official action, (2) the risk of erroneous deprivation of that interest through the available procedures, and (3) the government's interest, including the function involved and the fiscal and

administrative burdens that additional or substitute procedures would entail. *See Mathews v. Eldridge*, 424 U.S. 319, 335 (1976). And here, at a bare minimum, such safeguards should provide Ms. M an opportunity to contest her detention.

VII. CLAIMS FOR RELIEF

COUNT ONE

Violation of The Immigration and Nationality Act – 8 U.S.C. §§ 1226, 1182

54. Petitioner Ms. M repeats and realleges each allegation of this petition here.

55. The authority to detain Ms. M is properly located at 8 U.S.C. § 1226.

56. However, under a BIA case, *Matter of A-W-*, it would be futile for Ms. M to seek a bond hearing. The BIA held in that case that immigrants who enter on the Visa Waiver Program are ineligible for bond, and Ms. M entered on that program.

57. Consistent with the ruling of various courts, this decision is incorrect. Congress has clearly set out the authority under which Ms. M is detained, and that is located at 8 U.S.C. § 1226.

58. Further, acknowledging this correct reading of the statute does not undermine the purposes in limiting the relief available for people who initially entered under the Visa Waiver Program.

59. Finally, the BIA's conclusion, that immigrants like Ms. M are detained under 8 U.S.C. § 1187(c)(2)(E), is incorrect because there is simply no authority to detain contained in that section of the Immigration code.

60. Accordingly, Ms. M is properly detained under § 1226, and the Attorney General has designated authority for her to receive a bond hearing. She is therefore entitled to a hearing. This court should order her released until such a hearing can be conducted, or, in the alternative, an immediate bond hearing.

COUNT TWO

Violation of the Due Process Clause of the Fifth Amendment to the U.S. Constitution (Substantive)

61. Petitioner Ms. M repeats and realleges each allegation of this petition here.

62. The Due Process Clause of the Fifth Amendment forbids the government from depriving any person of liberty without due process of law. U.S. Const. amend. V. "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty" that the Due Process Clause Protects. *Zadvydas*, 533 U.S. at 690 (citing *Foucha,* 504 U.S. at 80).

63. Civil immigration detention violates due process if it is not reasonably related to its statutory purpose. *See id.* at 690 (citing *Jackson v. Indiana*, 406 U.S. 715, 738 (1972)).

64. Here, the only legitimate purpose for placing Ms. M in civil detention is if she is a flight risk or danger to the community. However, she is neither. Therefore, her continued detention violates her Due Process Rights.

COUNT THREE

Violation of the Due Process Clause Of the Fifth Amendment to the U.S. Constitution (Procedural)

65. Petitioner Ms. M repeats and realleges each allegation of this petitioner

66. The Due Process Clause of the Fifth Amendment protects all "person[s]" from deprivation of liberty "without due process of law." U.S. Const. Amend. V.

67. Ms. M's detention without a bond hearing violates her procedural due process rights. The constitutional sufficiency of procedures is determined by weighing three factors: (1) the private interest that will be affected by the official action, (2) the risk of erroneous deprivation of that interest through the available procedures, and (3) the government's

interest, including the function involved and the fiscal and administrative burdens that additional or substitute procedures would entail. *See Mathews v. Eldridge*, 424 U.S. 319, 335 (1976).

68. Ms. M has a weighty liberty interest as her freedom "from government . . . detention . . . lies at the heart of the liberty that [the Fifth Amendment] protects." *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).

69. The risk of erroneous deprivation without such procedures is high. Without additional oversight, the government is free to make decisions to arrest an individual without a strong showing that the individual is a flight risk or a danger, thus, denying individuals of due process without any meaningful opportunity to contest the government's reasons to detain them. *See Lopez v. Sessions*, No. 18 CIV. 4189 (RWS), 2018 WL 2932726, at *11 (S.D.N.Y. June 12, 2018). A bond hearing ultimately alleviates these concerns by giving an immigrant an opportunity to contest their detention before an immigration judge.

70. Finally, the government does not have a strong interest in detaining Ms. M without a bond hearing before a neutral arbitrator. Bond hearings are not an extensive process, and immigration judges are already equipped to handle such hearings efficiently and easily. Nor does the government have a strong interest in detaining an individual who can demonstrate they are not a flight risk or a danger.

71. Given the importance of the liberty interest at stake, the absence of any meaningfully existing process, and Respondents' minimal interest in detaining Ms. M, a pre-deprivation hearing at which Respondents bear the burden of proof of showing that Ms. M is a security or flight risk is required. Accordingly, this court should hold that Ms. M is entitled to a bond hearing, and order such a hearing immediately.

VIII. PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that the Court grant the following relief:

A. Assume jurisdiction over this matter;

B. Issue a temporary restraining order and preliminary injunction for her release, or in the alternative, for her to pay a bond set by the court, or in the alternative, to hold an immediate bond hearing within 24 hours before an Immigration Judge;

C. Issue an order to show cause to be returned within three days;

D. Declare Petitioner's detention to be unlawful and unconstitutional;

E. Order the immediate release of Petitioner;

F. In the alternative, if the Court does not release the Petitioner, order Petitioner's release on a bond set by the Court or Respondents to provide Petitioner with a bond hearing expeditiously;

G. Enjoin Respondents from transferring Petitioner outside of this judicial district pending litigation of this matter;

H. Award Petitioner reasonable costs and attorneys' fees; and

I. Grant any other relief that this Court deems just and proper.

Dated: September 26, 2025

/s/ Daniel Hatoum

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I. VERIFICATION

I have read the foregoing Petition for Writ of Habeas Corpus. I have personal knowledge of the factual allegations contained therein, and if called as a witness to testify I would competently testify as to the matters stated herein. This declaration is made pursuant to 28 U.S.C. § 1746. I declare under penalty of perjury that the foregoing is true and correct.

/s/ [redacted]
Petitioner A MM
Date: 09/25/25