

1 Hillary Walsh
NEW FRONTIER IMMIGRATION LAW
2 550 W. Portland St.
Phoenix, AZ 85003
3 hillary@newfrontier.us
623.742.5400 o
888.210.7044 f
4 *Attorney for Petitioner-Plaintiff*

5
6 **UNITED STATES DISTRICT COURT**
7 **FOR THE DISTRICT OF ARIZONA**

8
9 Carlos Adrian Aguayo Rivera

10 Petitioner-Plaintiff,

11 v.

12 John Cantu, Field Office Director of Phoenix Office
13 of Detention and Removal, U.S. Immigrations and
Customs Enforcement; U.S. Department of Homeland
14 Security;

15 Todd M. Lyons, Acting Director, Immigration and
16 Customs Enforcement, U.S. Department of Homeland
Security;

17
18 Kristi Noem, in her Official Capacity, Secretary, U.S.
Department of Homeland Security; and

19
20 Pam Bondi, in her Official Capacity, Attorney
General of the United States;

21
22 Joseph B. Edlow, Director of U.S. Citizenship and
Immigration Services;

23
24 Respondents-Defendants.
25
26
27
28

Case No.

**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
2 1. Petitioner, Carlos Adrian Aguayo Rivera ("Mr. Aguayo Rivera" or "Petitioner"), by and
3 through his undersigned counsel, hereby files this petition for writ of habeas corpus and complaint
4 for declaratory and injunctive relief challenging his unlawful immigration detention and seeking
5 mandamus relief to compel adjudication of his long-pending VAWA self-petition.
6

7 2. Mr. Aguayo Rivera is a Mexican national who entered the United States in December 2008
8 and has lived continuously in this country for nearly 17 years. Despite having no prior history of
9 immigration detention, no criminal convictions, and a pending VAWA self-petition with prima
10 facie eligibility status, ICE detained him in August 2025 without a hearing and continues to hold
11 him at Florence Correctional Center in Arizona.
12

13 3. His detention is unlawful under the Constitution and immigration statutes because: (1)
14 removal is not reasonably foreseeable given his pending VAWA petition and prima facie
15 protection status; (2) he has never been shown to be a danger to the community or flight risk; (3)
16 he was detained without any hearing or due process; and (4) his 17-year continuous presence and
17 community ties demonstrate he poses no risk justifying detention.
18

19 4. The mandamus and habeas claims are inextricably intertwined because USCIS's
20 unreasonable delay in adjudicating Petitioner's VAWA self-petition directly prolongs his
21 otherwise unlawful detention. Under *Zadvydas v. Davis*, immigration detention must be limited to
22 a period reasonably necessary to effectuate removal. Here, removal is not reasonably foreseeable
23 because Petitioner has prima facie VAWA eligibility and Congress intended VAWA beneficiaries
24 to remain in the United States during adjudication. USCIS's delay in adjudication thus perpetuates
25 detention that serves no legitimate governmental purpose.
26

27 5. This petition seeks: (1) habeas relief under 28 U.S.C. § 2241 to secure immediate release
28

1 from unlawful detention; (2) mandamus relief under 28 U.S.C. § 1361 and the APA to compel
2 USCIS to promptly adjudicate his VAWA petition; and (3) declaratory and injunctive relief
3 preventing future detention without due process.

4 **CUSTODY**

5 6. Mr. Aguayo Rivera is currently in the custody of ICE at Florence Correctional Center in
6 Florence, Arizona. This is his first immigration detention in nearly 17 years of continuous
7 residence in the United States. He is therefore in "custody" of [the DHS] within the meaning of the
8 habeas corpus statute." *Jones v. Cunningham*, 371 U.S. 236, 243 (1963).
9

10 **JURISDICTION**

11 7. This Court has jurisdiction under 28 U.S.C. § 2241, which authorizes district courts to grant
12 writs of habeas corpus to persons in custody under or by color of the authority of the United States,
13 and 28 U.S.C. § 2243, which requires courts to "summarily hear and determine" habeas petitions.
14 Jurisdiction is also proper under 28 U.S.C. § 1331 because this case arises under the Constitution,
15 laws, and treaties of the United States; and under 28 U.S.C. § 1361, which empowers district courts
16 to compel an officer of the United States to perform a duty owed to the plaintiff.
17

18 8. Judicial review is further authorized by the Administrative Procedure Act, 5 U.S.C. §§
19 555(b), 706(1), which permits courts to compel agency action unlawfully withheld or unreasonably
20 delayed. The Suspension Clause, U.S. Const. art. I, § 9, cl. 2, further guarantees that the writ of
21 habeas corpus shall not be suspended except in cases of rebellion or invasion.
22

23 **REQUIREMENTS OF 28 U.S.C. § 2241**

24 9. 28 U.S.C. § 2241(c)(3) provides that the writ of habeas corpus extends to a prisoner who
25 is "in custody in violation of the Constitution or laws or treaties of the United States." Petitioner is
26 in ICE custody at Florence Correctional Center, and his prolonged detention—despite his prima
27
28

1 facie VAWA eligibility, lack of any prior detention history, and 17-year continuous presence in
2 the United States—violates the Constitution and laws of the United States.

3 10. . This case presents the type of "pure question of law" and constitutional challenge that
4 remains within this Court's jurisdiction despite § 1252's limitations. Petitioner does not challenge
5 the merits of any removal decision but rather contests: (1) the constitutional and statutory authority
6 for his detention without any hearing or showing of necessity; (2) the procedural due process
7 violations in his initial detention; and (3) USCIS's failure to perform the non-discretionary duty to
8 adjudicate his VAWA application within a reasonable time.
9

10 11. The jurisdictional restrictions of 8 U.S.C. § 1252 do not bar this petition. While § 1252(g)
11 generally, limits judicial review of certain discretionary decisions, it does not strip jurisdiction
12 over pure questions of statutory authority or constitutional challenges to detention. See *INS v. St.*
13 *Cyr*, 533 U.S. 289, 314 (2001) ("questions of law" and "constitutional claims" remain reviewable);
14 *Demore v. Kim*, 538 U.S. 510, 517 (2003) (habeas jurisdiction preserved for constitutional
15 challenges). Moreover, the constitutional avoidance canon requires construing § 1252 to preserve
16 habeas jurisdiction for challenges to prolonged detention that raise serious constitutional concerns.
17
18 *Zadvydas v. Davis*, 533 U.S. 678, 689 (2001).
19

20 VENUE

21 12. Venue is proper in this District pursuant to 28 U.S.C. § 1391(e) because Petitioner is
22 currently detained within this District; Respondents are officers or employees of the United States
23 acting in their official capacity and reside within this District; and a substantial part of the events
24 or omissions giving rise to this action occurred in this District.
25

26 EXHAUSTION OF ADMINISTRATIVE REMEDIES

27 13. Petitioner has exhausted all available administrative remedies, or, in the alternative,
28

1 exhaustion should be excused. Petitioner filed his VAWA self-petition with USCIS on August 15,
2 2023, more than two years ago, and USCIS has failed to adjudicate the application despite granting
3 prima facie eligibility. No further administrative remedies exist to compel adjudication, as USCIS
4 alone holds jurisdiction over VAWA self-petitions and does not provide an appeal mechanism for
5 agency delay.

6
7 14. Even if exhaustion were deemed incomplete, it should be excused under binding Ninth
8 Circuit precedent. Exhaustion is not required where it would be futile, cause undue prejudice, or
9 where the agency lacks jurisdiction to grant the relief sought. *Laing v. Ashcroft*, 370 F.3d 994,
10 1000-01 (9th Cir. 2004). Courts have repeatedly excused exhaustion in the context of delayed
11 adjudication of immigration benefits, particularly for vulnerable populations like VAWA
12 petitioners.

13
14 15. Here, requiring Petitioner to pursue additional administrative relief would be futile
15 because USCIS has already exceeded reasonable processing times and has no mechanism for
16 internal review of the delay. Further, continued detention inflicts irreparable harm on Petitioner's
17 liberty, family unity, and mental health.

18 PARTIES

19
20 16. Carlos Adrian Aguayo Rivera is a citizen and national of Mexico who entered the United
21 States in December 2008. He has lived continuously in the United States for nearly 17 years,
22 establishing deep community ties, employment history, and family relationships.

23
24 17. Mr. Aguayo Rivera has never been detained by ICE prior to August 2025, demonstrating
25 his compliance with immigration requirements and lack of flight risk over nearly two decades of
26 residence.

27 18. Respondent John Cantu is the Field Office Director of ICE in Phoenix, Arizona, and is
28

1 named in his official capacity. In his official capacity, he is the legal custodian of Mr. Aguayo
2 Rivera.

3 19. Respondent Todd M. Lyons is the Acting Director of ICE and is named in his official
4 capacity. In his official capacity as head of ICE, he is the legal custodian of Mr. Aguayo Rivera.

5 20. Respondent Kristi Noem is the Secretary of DHS and is named in her official capacity.
6 Respondent Noem is the ultimate legal custodian of Mr. Aguayo Rivera.
7

8 21. Respondent Pam Bondi is the Attorney General of the United States and is named in her
9 official capacity. She has the authority to interpret immigration laws and oversee immigration
10 enforcement.

11 22. Respondent Joseph B. Edlow is the Director of USCIS and is named in his official capacity.
12 In his official capacity as Director of USCIS, Respondent Edlow has ultimate supervisory authority
13 over VAWA adjudications and is therefore a proper respondent to this action seeking mandamus
14 relief.
15

16 STATEMENT OF FACTS

17 **Petitioner's Background and Continuous Presence**

18 23. Carlos Adrian Aguayo Rivera entered the United States in December 2008 as a young man
19 seeking economic opportunity and safety. Over nearly 17 years, he has built a life in this country,
20 working steadily, paying taxes, and contributing to his community.
21

22 24. Throughout his 17-year presence in the United States, Mr. Aguayo Rivera has maintained
23 continuous residence, never been convicted of any crimes, and never been subject to immigration
24 detention or removal proceedings. This extensive history demonstrates his commitment to
25 compliance with U.S. law and his integration into American society.
26

27 25. Mr. Aguayo Rivera has established significant community ties, including employment
28

1 relationships, family connections, and social networks that anchor him to the United States. His
2 lengthy presence without incident demonstrates he poses no flight risk or danger to the community.

3 **VAWA Self-Petition and Prima Facie Determination**

4 26. On August 15, 2023, Mr. Aguayo Rivera filed a VAWA self-petition (Form I-360) based
5 on abuse suffered at the hands of a U.S. citizen or lawful permanent resident intimate partner.
6 USCIS issued a receipt notice on September 8, 2023, (See Exhibit A, VAWA Self-Petition and
7 Receipt Notice).
8

9 27. On January 31, 2024, USCIS issued a prima facie eligibility determination, finding that
10 Mr. Aguayo Rivera had established a prima facie case for VAWA relief. (See Exhibit B, Prima
11 Facie Determination dated January 31, 2024). This determination provides statutory protection
12 from removal and access to certain benefits during the pendency of his petition.
13

14 28. The prima facie determination initially expired on January 20, 2025, but has been renewed,
15 confirming USCIS's continued recognition that Mr. Aguayo Rivera meets the threshold
16 requirements for VAWA protection, (See Exhibit C, Prima Facie Renewal Documentation).
17

18 29. Despite this prima facie status and more than two years since filing, USCIS has not
19 completed adjudication of Mr. Aguayo Rivera's VAWA self-petition. The agency has provided no
20 explanation for the delay and no timeline for completion, (See Exhibit D, Correspondence with
21 USCIS).
22

23 **Unlawful Detention Without Due Process**

24 30. In August 2025, ICE detained Mr. Aguayo Rivera without warning, without a hearing, and
25 without any showing that detention was necessary. This marked his first immigration detention in
26 nearly 17 years of continuous U.S. residence.

27 31. At the time of detention, ICE made no showing that Mr. Aguayo Rivera was a flight risk
28

1 or danger to the community. Indeed, his 17-year history of continuous residence, lack of criminal
2 history, and compliance with immigration requirements all demonstrate the contrary.

3 32. Mr. Aguayo Rivera was not provided a bond hearing or any other form of custody review
4 prior to or following his detention. He remains detained at Florence Correctional Center without
5 any determination that his detention serves a legitimate governmental purpose.

6
7 33. The detention has caused Mr. Aguayo Rivera significant hardship, including separation
8 from family and community, inability to work and support himself, and interference with his
9 ability to participate in the VAWA adjudication process.

10 STATEMENT OF FACTS

11 **Petitioner's Background and Continuous Presence**

12
13 34. Carlos Adrian Aguayo Rivera entered the United States in December 2008 as a young man
14 seeking economic opportunity and safety. Over nearly 17 years, he has built a life in this country,
15 working steadily, paying taxes, and contributing to his community.

16
17 35. Throughout his 17-year presence in the United States, Mr. Aguayo Rivera has maintained
18 continuous residence, never been convicted of any crimes, and never been subject to immigration
19 detention or removal proceedings. This extensive history demonstrates his commitment to
20 compliance with U.S. law and his integration into American society.

21
22 36. Mr. Aguayo Rivera has established significant community ties, including employment
23 relationships, family connections, and social networks that anchor him to the United States. His
24 lengthy presence without incident demonstrates he poses no flight risk or danger to the community.

25 **VAWA Self-Petition and Prima Facie Determination**

26 37. On August 15, 2023, Mr. Aguayo Rivera filed a VAWA self-petition (Form I-360) based
27
28

1 on abuse suffered at the hands of a U.S. citizen or lawful permanent resident intimate partner.

2 USCIS issued a receipt notice on September 8, 2023.

3 38. On the same date as filing, August 15, 2023, USCIS issued a prima facie eligibility
4 determination, finding that Mr. Aguayo Rivera had established a prima facie case for VAWA
5 relief. This determination provides statutory protection from removal and access to certain benefits
6 during the pendency of his petition.
7

8 39. The prima facie determination initially expired on January 20, 2025, but has been renewed,
9 confirming USCIS's continued recognition that Mr. Aguayo Rivera meets the threshold
10 requirements for VAWA protection.
11

12 40. Despite this prima facie status and more than two years since filing, USCIS has not
13 completed adjudication of Mr. Aguayo Rivera's VAWA self-petition. The agency has provided no
14 explanation for the delay and no timeline for completion.
15

16 **Unlawful Detention Without Due Process**

17 41. In August 2025, ICE detained Mr. Aguayo Rivera without warning, without a hearing, and
18 without any showing that detention was necessary. This marked his first immigration detention in
19 nearly 17 years of continuous U.S. residence.

20 42. At the time of detention, ICE made no showing that Mr. Aguayo Rivera was a flight risk
21 or danger to the community. Indeed, his 17-year history of continuous residence, lack of criminal
22 history, and compliance with immigration requirements all demonstrate the contrary.
23

24 43. Mr. Aguayo Rivera was not provided a bond hearing or any other form of custody review
25 prior to or following his detention. He remains detained at Florence Correctional Center without
26 any determination that his detention serves a legitimate governmental purpose.
27

28 44. The detention has caused Mr. Aguayo Rivera significant hardship, including separation

1 from family and community, inability to work and support himself, and interference with his
2 ability to participate in the VAWA adjudication process.

3 **LEGAL BACKGROUND**

4 **Constitutional Limits on Prolonged Immigration Detention**

5 45. The Due Process Clause of the Fifth Amendment prohibits arbitrary and indefinite civil
6 detention. In *Zadvydas v. Davis*, 533 U.S. 678 (2001), the Supreme Court held that immigration
7 detention must be limited to a period reasonably necessary to effectuate removal, and that once
8 removal is not reasonably foreseeable, continued detention violates both the statute and the
9 Constitution.
10

11 46. In *Demore v. Kim*, 538 U.S. 510 (2003), the Court upheld mandatory detention only in
12 narrow circumstances where it was brief and directly tied to removal proceedings. The Court
13 emphasized that "indefinite detention of immigrants" would raise serious constitutional concerns.
14

15 47. Here, Mr. Aguayo Rivera's detention serves no legitimate governmental purpose because:
16 (1) removal is not reasonably foreseeable given his prima facie VAWA eligibility and Congress's
17 intent to protect VAWA beneficiaries; (2) he has demonstrated no propensity for flight or danger
18 over 17 years; and (3) his detention occurred without any individualized assessment of necessity.
19

20 **VAWA's Protective Framework and Congressional Intent**

21 48. Congress enacted the Violence Against Women Act to protect domestic violence survivors
22 from deportation while seeking immigration relief. The statute provides that VAWA self-
23 petitioners with prima facie eligibility shall not be removed during the pendency of their petitions.
24

25 See 8 U.S.C. § 1229b(b)(3)(B).

26 49. The VAWA framework reflects Congress's recognition that domestic violence survivors
27
28

1 are particularly vulnerable and require protection from immigration enforcement that could return
2 them to dangerous situations or deter them from seeking help.

3 50. USCIS's own Policy Manual emphasizes the protective nature of VAWA relief and
4 instructs adjudicators to process these cases with sensitivity to the petitioner's safety and
5 vulnerability. The Manual recognizes that delays in adjudication can cause ongoing harm to
6 survivors.
7

8 51. Mr. Aguayo Rivera's prolonged detention while his VAWA petition remains pending
9 directly contradicts Congress's protective intent and places him at risk of removal before his
10 protection claim can be fully adjudicated.
11

12 **Due Process Requirements for First-Time Detainees**

13 52. Courts have recognized that individuals with long-standing community ties and no prior
14 detention history are entitled to enhanced due process protections. The *Mathews v.*
15 *Eldridge* factors strongly favor requiring a hearing before detention in such cases.
16

17 53. Private Interest: Mr. Aguayo Rivera's interest in liberty is profound, particularly given his
18 17-year continuous presence, community ties, and VAWA protection status. Unlike individuals
19 with extensive immigration violations, his clean record and prima facie eligibility create a strong
20 presumption favoring release.
21

22 54. Risk of Erroneous Deprivation: The risk of wrongful detention is exceptionally high where,
23 as here, ICE detained someone without any individualized assessment despite prima facie
24 protection status and 17 years of lawful presence. No process exists to challenge this detention.
25

26 55. Government Interest: The government's interest in detaining Mr. Aguayo Rivera is
27 minimal to nonexistent. He has demonstrated reliability over 17 years, poses no flight risk or
28 community danger, and has pending protection that Congress intended to shield him from removal.

Unreasonable Delay in VAWA Adjudication

1
2 56. The Administrative Procedure Act requires courts to "compel agency action unlawfully
3 withheld or unreasonably delayed." 5 U.S.C. § 706(1). USCIS has a non-discretionary duty to
4 adjudicate VAWA self-petitions within a reasonable period.

5 57. Under the six-factor test established in *TRAC v. FCC*, 750 F.2d 70 (D.C. Cir. 1984),
6 USCIS's delay is unreasonable:
7

8 **A. Time taken:** Over two years exceeds any reasonable processing time for VAWA cases,
9 which Congress intended to be processed expeditiously due to safety concerns.

10 **B. Effect on petitioner:** The delay subjects Mr. Aguayo Rivera to prolonged detention and
11 uncertainty, directly harming the vulnerable population Congress sought to protect

12 **C. Reasons for delay:** USCIS has provided no justification for the delay despite having
13 prima facie determination and all necessary evidence.
14

15 **D. Petitioner's interests:** Mr. Aguayo Rivera's interests in safety, liberty, and protection
16 are compelling and time sensitive.

17 **E. Impact on agency operations:** Prompt adjudication serves USCIS's mission and
18 Congressional directives regarding VAWA cases.
19

20 **F. Congressional direction:** Congress specifically directed expeditious processing of
21 VAWA cases due to their protective nature and the vulnerability of the petitioner
22 population.
23

24 58. USCIS's delay is not merely an administrative inconvenience but a direct cause of
25 Petitioner's ongoing constitutional injury. Each day of delay extends his unlawful detention, as
26 removal cannot reasonably be effectuated while his VAWA petition—which provides statutory
27
28

1 protection from removal—remains pending. The agency's failure to timely adjudicate thus
2 transforms what should be protection from detention into indefinite civil confinement.

3 **FIRST CAUSE OF ACTION**

4 **Procedural Due Process - U.S. Const. amend. V**

5 45. Mr. Aguayo Rivera re-alleges and incorporates by reference all preceding allegations.

6 46. The Due Process Clause of the Fifth Amendment forbids the government from depriving
7 any "person" of liberty "without due process of law." U.S. Const. amend. V.
8

9 47. Mr. Aguayo Rivera has a constitutionally protected liberty interest that cannot be arbitrarily
10 curtailed. His 17-year continuous presence, prima facie VAWA eligibility, and lack of any prior
11 detention create a particularly strong liberty interest.
12

13 48. ICE's detention of Mr. Aguayo Rivera without any hearing, individualized assessment, or
14 showing of necessity violates procedural due process, especially given his unique circumstances
15 as a first-time detainee with prima facie protection status.

16 49. The Court should order Mr. Aguayo Rivera's immediate release and require that any future
17 detention be preceded by a hearing where the government bears the burden of proving, by clear
18 and convincing evidence, that detention is necessary.
19

20 **SECOND CAUSE OF ACTION**

21 **Substantive Due Process - Prolonged Detention Without Justification**

22 50. Mr. Aguayo Rivera re-alleges and incorporates by reference all preceding allegations.

23 51. Substantive due process prohibits government action that "shocks the conscience" or lacks
24 any rational connection to a legitimate governmental purpose.
25

26 52. Detaining someone with prima facie VAWA protection, 17 years of continuous presence,
27
28

1 and no history of flight risk or community danger serves no legitimate governmental purpose and
2 shocks the conscience, particularly where Congress specifically intended to protect such
3 individuals.

4 53. The Court should declare such detention unconstitutional and order Mr. Aguayo Rivera's
5 immediate release.

6
7 **THIRD CAUSE OF ACTION**

8 **Mandamus Relief - Unreasonable Delay in VAWA Adjudication**

9 54. Mr. Aguayo Rivera re-alleges and incorporates by reference all preceding allegations.

10 55. Under 28 U.S.C. § 1361, district courts may compel officers of the United States to
11 perform duties owed to plaintiffs. USCIS has a clear, non-discretionary duty to adjudicate VAWA
12 self-petitions within a reasonable time.

13
14 56. The delay of over two years, despite prima facie eligibility and complete documentation,
15 violates this duty and constitutes agency action "unlawfully withheld or unreasonably delayed"
16 under 5 U.S.C. § 706(1).

17
18 57. Mr. Aguayo Rivera has no adequate remedy at law, as only this Court can compel USCIS
19 to act promptly on his petition.

20 58. The Court should issue a writ of mandamus compelling USCIS to complete adjudication
21 of Mr. Aguayo Rivera's VAWA self-petition within 60 days.

22 **FOURTH CAUSE OF ACTION**

23 **Statutory Violation - Detention Inconsistent with VAWA Protections**

24 59. Mr. Aguayo Rivera re-alleges and incorporates by reference all preceding allegations.

25 60. The VAWA statutory framework prohibits removal of self-petitioners with prima facie
26
27
28

1 eligibility during the pendency of their petitions. Prolonged detention pending removal violates
2 the spirit and purpose of these protections.

3 61. Congress intended VAWA beneficiaries to remain safely in the United States during
4 adjudication, not to be subjected to detention that could pressure them to abandon their claims or
5 expose them to harm.

6
7 62. The Court should declare that detention of prima facie VAWA beneficiaries without
8 extraordinary circumstances violate Congressional intent and statutory protections.

9 **PRAYER FOR RELIEF**

10 WHEREFORE, Petitioner Carlos Adrian Aguayo Rivera respectfully requests that this Court
11 grant the following relief: .

- 12
13 1. Assume jurisdiction over this matter.
14 2. Declare that Petitioner's detention by ICE since August 2025 is unlawful.
15 3. Order Respondents to immediately release Petitioner from detention.
16 4. Issue a writ of mandamus compelling USCIS to adjudicate Petitioner's VAWA self-
17 petition, including any waiver determinations, within a time the Court deems reasonable.
18 5. Enjoin ICE from re-arresting or re-detaining Petitioner unless and until he is given a
19 hearing before a neutral adjudicator to determine whether he is a danger to the community
20 or flight risk by clear and convincing evidence.
21 6. Award reasonable attorneys' fees and costs.
22 7. Grant such other relief as the Court deems just and proper.

23
24
25 Dated: September 30, 2025

NEW FRONTIER IMMIGRATION LAW

26 By: s/Hillary Walsh
27 Hillary Walsh
28 Attorney for Petitioner
Carlos Adrian Aguayo Rivera

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

1
2 I am submitting this verification on behalf of the Petitioner because I am one of Petitioner's
3 attorneys. I have discussed with the Petitioner the events described in the Petition. Based on those
4 discussions, I hereby verify that the factual statements made in the attached Petition for Writ of
5 Habeas Corpus are true and correct to the best of my knowledge.

6
7 Executed on this September 30, 2025, in Phoenix, AZ

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
NEW FRONTIER IMMIGRATION LAW

By: s/Hillary Walsh
Hillary Walsh
Attorney for Petitioner
Carlos Adrian Aguayo Rivera