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9
10 **IN THE UNITED STATES DISTRICT COURT**
11 **FOR THE DISTRICT OF ARIZONA**

12 Jose Juan Perez Rodriguez,
13
14 Petitioner,
15 v.
16 Kristi Noem, et al.,
Respondents.

No. 2:25-cv-03921-PHX-JJT (ESW)

**RESPONSE TO PETITION FOR
WRIT OF HABEAS CORPUS**

17 Respondents Kristi Noem, Secretary of Homeland Security (“DHS”); Pamela Bondi,
18 U.S. Attorney General; Todd M. Lyons, Acting Director of U.S. Immigration and Customs
19 Enforcement (“ICE”); John Cantu, Field Office Director ICE, Enforcement and Removal
20 Operations, Phoenix Field Office; Luis Rosa, Warden of the Central Arizona Florence
21 Correctional Complex, by and through undersigned counsel, respond to the Petition for Writ
22 of Habeas Corpus (Doc. 1), as directed by the Order to Show Cause dated October 30, 2025
23 (Doc. 4).

24 Petitioner is an “applicant for admission” who must be detained pending removal
25 proceedings. The plain language of the Immigration and Nationality Act (“INA”) establishes
26 that any alien present in the United States without being admitted is indeed an “applicant
27 for admission” and therefore subject to mandatory detention under 8 U.S.C. § 1225(b)(2).
28 *Jennings v. Rodriguez*, 583 U.S. 281, 297 (2018) (“Read most naturally, §§ 1225(b)(1) and

1 (b)(2) thus mandate detention of applicants of admission until certain proceedings have
2 concluded.”). Accordingly, pursuant to the INA, Petitioner is properly subject to mandatory
3 detention during the pendency of his removal proceedings. For these reasons, Petitioner’s
4 request for habeas relief should be denied.

5 **I. FACTUAL AND PROCEDURAL BACKGROUND.**

6 Petitioner is a native and citizen of Mexico. Exhibit A, Declaration of Miguel
7 Martinez at ¶ 4. Petitioner entered the United States on an unknown date, but alleges it was
8 more than 40 years ago when he was a child. Doc. 1 at ¶ 4. In 1997, Petitioner was arrested
9 for public lewdness, but the disposition of that case is unknown. Ex. A at ¶ 5. In August
10 2019, Petitioner was arrested for driving while intoxicated and was convicted of the same in
11 July 2021. Ex. A at ¶ 6. In June 2023, Petitioner was encountered by ICE at the Kaufman
12 County Probation Office and was issued a Notice to Appear (“NTA”) shortly thereafter. Ex.
13 A at ¶¶ 7, 8. The NTA charged Petitioner as inadmissible as alien present in the United States
14 without being admitted or paroled. Ex. A at ¶ 8; Doc. 1-1 at 2. *See also* INA §
15 212(a)(6)(A)(i); 8 U.S.C. § 1182(a)(6)(A)(i). 8 U.S.C. § 1182(a)(6)(A)(i) states “[a]n alien
16 present in the United States without having been admitted or paroled, or who arrives in the
17 United States at any time or place other than as designated by the Attorney General, is
18 inadmissible.” Petitioner was released on his own recognizance the same day. Ex. A at ¶ 9.
19 He was detained by DHS on August 25, 2025. Ex. A at ¶ 10. Petitioner’s removal
20 proceedings are ongoing and his next hearing date is November 7, 2025. Ex. A at ¶ 12.

21 Petitioner initiated this action by filing a Petition for Writ of Habeas Corpus (Doc. 1)
22 on October 21, 2025, and a Motion for Temporary Restraining Order and Preliminary
23 Injunction (Doc. 3) on October 30, 2025. Petitioner alleges he should be detained under 8
24 U.S.C. § 1226(a)(2) and provided with a bond hearing, and that his detention under 8 U.S.C.
25 § 1225(b)(2)(A) without a bond hearing violates due process. He seeks a Court order granting
26 his immediate release from immigration detention or requiring Respondents to provide him
27 with a bond hearing. Doc. 1 at Prayer for Relief, ¶ e.
28

1 **II. PETITIONER IS SUBJECT TO MANDATORY DETENTION UNDER 8**
2 **U.S.C. § 1225(b)(2)(A).**

3 **A. Statutory background and detention under the INA.**

4 “The distinction between an alien who has effected an entry into the United States
5 and one who has never entered runs throughout immigration law.” *Zadvydas v. Davis*, 533
6 U.S. 678, 693 (2001). “The phrase ‘applicant for admission’ is a term of art denoting a
7 particular legal status.” *Torres v. Barr*, 976 F.3d 918, 927 (9th Cir. 2020) (en banc), *declined*
8 *to extend by*, *United States v. Gambino-Ruiz*, 91 F.4th 981 (9th Cir. 2024).

9 Section 1225(a)(1) was added to the INA as part of the Illegal Immigration Reform
10 and Immigrant Responsibility Act of 1996 (“IIRIRA”). Pub. L. No. 104-208, § 302, 110 Stat.
11 3009-546. IIRIRA added Section 1225(a)(1) to “ensure[] that all immigrants who have not
12 been lawfully admitted, regardless of their physical presence in the country, are placed on
13 equal footing in removal proceedings under the INA.” *Torres*, 976 F.3d at 928; *see also* H.R.
14 Rep. 104-469, pt. 1, at 225 (explaining that § 1225(a)(1) replaced “certain aspects of the
15 current ‘entry doctrine,’” under which illegal aliens who entered the United States without
16 inspection gained equities and privileges in immigration proceedings unavailable to aliens
17 who presented themselves for inspection at a port of entry). The provision “places some
18 physically-but-not-lawfully present noncitizens into a fictive legal status for purposes of
19 removal proceedings.” *Torres*, 976 F.3d at 928.

20 The INA authorizes civil detention of aliens during removal proceedings and
21 “[d]etention is necessarily part of this deportation procedure.” *Carlson v. Landon*, 342 U.S.
22 524, 538 (1952); *see also* 8 U.S.C. § 1225(b), 1226(a), and 1231(a). “Where an alien falls
23 within this statutory scheme can affect whether his detention is mandatory or discretionary,
24 as well as the kind of review process available to him if he wishes to contest the necessity of
25 his detention.” *Prieto-Romero v. Clark*, 534 F.3d 1053, 1057 (9th Cir. 2008).

26 **1. Detention under 8 U.S.C. § 1225.**

27 The INA mandates the detention of applicants for admission. 8 U.S.C. § 1225(b)(1)
28 and (b)(2). An “applicant[] for admission,” who is defined as an “alien present in the United
States who has not been admitted” or “who arrives in the United States.” 8 U.S.C.

1 § 1225(a)(1).¹ Applicants for admission “fall into one of two categories, those covered by
2 § 1225(b)(1) and those covered by § 1225(b)(2).” *Jennings*, 583 U.S. at 287.

3 Section 1225(b)(1) applies to arriving aliens and “certain other” aliens “initially
4 determined to be inadmissible due to fraud, misrepresentation, or lack of valid
5 documentation.” *Id.*; 8 U.S.C. § 1225(b)(1)(A)(i), (iii). These aliens are generally subject to
6 expedited removal proceedings. *See* 8 U.S.C. § 1225(b)(1)(A)(i). But if the alien “indicates
7 an intention to apply for asylum . . . or a fear of persecution,” immigration officers will refer
8 the alien for a credible fear interview. *Id.* § 1225(b)(1)(A)(ii). An alien “with a credible fear
9 of persecution” is “detained for further consideration of the application for asylum.” *Id.*
10 § 1225(b)(1)(B)(ii). If the alien does not indicate an intent to apply for asylum, express a fear
11 of persecution, or is “found not to have such a fear,” he is detained until removed. *Id.*
12 §§ 1225(b)(1)(A)(i), (B)(iii)(IV).

13 Section 1225(b)(2) is “broader” and “serves as a catchall provision.” *Jennings*, 583
14 U.S. at 287. It “applies to all applicants for admission not covered by § 1225(b)(1).” *Id.*
15 Under § 1225(b)(2), an alien “who is an applicant for admission” shall be detained for a
16 removal proceeding “if the examining immigration officer determines that [the] alien seeking
17 admission is not clearly and beyond a doubt entitled to be admitted.” 8 U.S.C.
18 § 1225(b)(2)(A); *see Matter of Q. Li*, 29 I. & N. Dec. 66, 68 (BIA 2025) (“for aliens arriving
19 in and seeking admission into the United States who are placed directly in full removal
20 proceedings, section 235(b)(2)(A) of the INA, 8 U.S.C. § 1225(b)(2)(A), mandates detention
21 ‘until removal proceedings have concluded.’”) (citing *Jennings*, 583 U.S. at 299). Still, DHS
22 has the sole discretionary authority to temporarily release on parole “any alien applying for
23 admission to the United States” on a “case-by-case basis for urgent humanitarian reasons or
24 significant public benefit.” *Id.* § 1182(d)(5)(A); *see Biden v. Texas*, 597 U.S. 785, 806
25 (2022).

26
27
28 ¹ Admission is the “lawful entry of an alien into the United States after inspection and
authorization by an immigration officer.” 8 U.S.C. § 1101(a)(13).

1 **2. Detention under 8 U.S.C. § 1226(a).**

2 Section 1226 provides that “an alien may be arrested and detained pending a decision
3 on whether the alien is to be removed from the United States.” 8 U.S.C. § 1226(a). Under
4 section 1226(a), the government may detain an alien during his removal proceedings, release
5 him on bond, or release him on conditional parole.² By regulation, immigration officers can
6 release an alien if the alien demonstrates that he “would not pose a danger to property or
7 persons” and “is likely to appear for any future proceeding.” 8 C.F.R. § 236.1(c)(8). An alien
8 can also request custody redetermination (*i.e.*, a bond hearing) by an Immigration Judge at
9 any time before a final order of removal is entered but an alien that “has not been admitted,”
10 is treated as “an applicant for admission.” 8 U.S.C. § 1225(a)(1); 8 C.F.R. §§ 236.1(d)(1),
11 1236.1(d)(1), 1003.19; *Jennings*, 583 U.S. at 286-87.

12 At a custody redetermination, the Immigration Judge (“IJ”) may continue detention
13 or release the alien on bond or conditional parole. 8 U.S.C. § 1226(a); 8 C.F.R.
14 § 1236.1(d)(1). IJs have broad discretion in deciding whether to release an alien on bond. *In*
15 *re Guerra*, 24 I. & N. Dec. 37, 39-40 (BIA 2006) (listing nine factors for IJs to consider).
16 But regardless of the factors IJs consider, an alien “who presents a danger to persons or
17 property should not be released during the pendency of removal proceedings.” *Id.* at 38.

18 **B. Under the plain text of § 1225, Petitioner must be detained pending the
19 outcome of his removal proceedings.**

20 The Court should reject Petitioner’s argument that § 1226(a) governs his detention
21 instead of § 1225. When there is “an irreconcilable conflict in two legal provisions,” then
22 “the specific governs over the general.” *Karczewski v. DCH Mission Valley LLC*, 862 F.3d
23 1006, 1015 (9th Cir. 2017). Section 1226(a) applies to aliens “arrested and detained pending
24 a decision” on removal. 8 U.S.C. § 1226(a). In contrast, § 1225 is narrower. *See* 8 U.S.C.
25 § 1225. It applies only to “applicants for admission”; that is, as relevant here, aliens present

26 ² Being “conditionally paroled under the authority of § 1226(a)” is distinct from being
27 “paroled into the United States under the authority of § 1182(d)(5)(A).” *Ortega-Cervantes*
28 *v. Gonzales*, 501 F.3d 1111, 1116 (9th Cir. 2007) (holding that because release on
“conditional parole” under § 1226(a) is not a parole, the alien was not eligible for adjustment
of status under § 1255(a)).

1 in the United States who have not be admitted. *See id.*; *see also Florida v. United States*, 660
2 F. Supp. 3d 1239, 1275 (N.D. Fla. 2023). Because Petitioner falls within that category, the
3 specific detention authority under § 1225 governs over the general authority found at
4 § 1226(a).

5 Under 8 U.S.C. § 1225(a), an “applicant for admission” is defined as an “alien present
6 in the United States who has not been admitted or who arrives in the United States.”
7 Applicants for admission “fall into one of two categories, those covered by § 1225(b)(1) and
8 those covered by § 1225(b)(2).” *Jennings*, 583 U.S. at 287. Section 1225(b)(2)—the
9 provision relevant here—is the “broader” of the two. *Id.* It “serves as a catchall provision
10 that applies to all applicants for admission not covered by § 1225(b)(1) (with specific
11 exceptions not relevant here).” *Id.* And section 1225(b)(2) mandates detention. *Id.* at 297;
12 *see also* 8 U.S.C. § 1225(b)(2); *Matter of Q. Li*, 29 I & N. Dec. at 69 (“[A]n applicant for
13 admission who is arrested and detained without a warrant while arriving in the United States,
14 whether or not at a port of entry, and subsequently placed in removal proceedings is detained
15 under section 235(b) of the INA, 8 U.S.C. § 1225(b), and is ineligible for any subsequent
16 release on bond under section 236(a) of the INA, 8 U.S.C. § 1226(a).”). Section 1225(b)
17 therefore applies because Petitioner is present in the United States without being admitted.

18 The BIA has long recognized that “many people who are not *actually* requesting
19 permission to enter the United States in the ordinary sense are nevertheless deemed to be
20 ‘seeking admission’ under the immigration laws.” *Matter of Lemus-Losa*, 25 I. & N. Dec.
21 734, 743 (BIA 2012). Statutory language “is known by the company it keeps.” *Marquez-*
22 *Reyes v. Garland*, 36 F.4th 1195, 1202 (9th Cir. 2022) (quoting *McDonnell v. United States*,
23 579 U.S. 550, 569 (2016)). The phrase “seeking admission” in § 1225(b)(2)(A) must be read
24 in the context of the definition of “applicant for admission” in § 1225(a)(1). Applicants for
25 admission are both those individuals present without admission and those who arrive in the
26 United States. *See* 8 U.S.C. § 1225(a)(1). Both are understood to be “seeking admission”
27 under §1225(a)(1). *See Lemus-Losa*, 25 I. & N. Dec. at 743. Congress made that clear in
28 § 1225(a)(3), which requires all aliens “who are applicants for admission or otherwise
seeking admission” to be inspected by immigration officers. 8 U.S.C. § 1225(a)(3). The word

1 “or” here “introduce[s] an appositive—a word or phrase that is synonymous with what
2 precedes it (‘Vienna or Wien,’ ‘Batman or the Caped Crusader’).” *United States v. Woods*,
3 571 U.S. 31, 45 (2013).

4 One of the most basic interpretative canons instructs that a “statute should be
5 construed so that effect is given to all its provisions.” *See Corley v. United States*, 556 U.S.
6 303, 314 (2009) (cleaned up). The court’s decision in *Florida v. United States* is instructive
7 here. The district court held that 8 U.S.C. § 1225(b) mandates detention of applicants for
8 admission throughout removal proceedings, rejecting the assertion that DHS has discretion
9 to choose to detain an applicant for admission under either section 1225(b) or 1226(a). 660
10 F. Supp. 3d at 1275. The court held that such discretion “would render mandatory detention
11 under § 1225(b) meaningless. Indeed, the 1996 expansion of § 1225(b) to include illegal
12 border crossers would make little sense if DHS retained discretion to apply § 1225(a) and
13 release illegal border crossers whenever the agency saw fit.” *Id.* The court pointed to *Demore*
14 *v. Kim*, 538 U.S. 510, 518 (2003), in which the Supreme Court explained that “wholesale
15 failure” by the federal government motivated the 1996 amendments to the INA. *Florida*, 660
16 F. Supp. 3d at 1275. The court also relied on, *Matter of M-S-*, 27 I. & N. Dec. 509, 516 (A.G.
17 2019), in which the Attorney General explained “section [1225] (under which detention is
18 mandatory) and section [1226(a)] (under which detention is permissive) can be reconciled
19 only if they apply to different classes of aliens.” *Florida*, 660 F. Supp. 3d at 1275. Petitioner,
20 present in the United States without being admitted, is an applicant for admission and is
21 therefore subject to mandatory detention without bond under 8 U.S.C. § 1225(b). *Matter of*
Yajure Hurtado, 29 I. & N. Dec. 216 (BIA 2025).

22 **C. Congress did not intend to treat individuals who unlawfully enter the**
23 **United States better than those who appear at a port of entry.**

24 When the plain text of a statute is clear, “that meaning is controlling” and courts “need
25 not examine legislative history.” *Washington v. Chimei Innolux Corp.*, 659 F.3d 842, 848
26 (9th Cir. 2011). But to the extent legislative history is relevant here, nothing “refutes the
27 plain language” of § 1225. *Suzlon Energy Ltd. v. Microsoft Corp.*, 671 F.3d 726, 730 (9th
28 Cir. 2011). Congress passed IIRIRA to correct “an anomaly whereby immigrants who were

1 attempting to lawfully enter the United States were in a worse position than persons who had
2 crossed the border unlawfully.” *Torres*, 976 F.3d at 928. The Court should reject the
3 Petitioner’s interpretation because it would put aliens who “crossed the border unlawfully”
4 in a better position than those “who present themselves for inspection at a port of entry.” *Id.*
5 Aliens who presented at port of entry would be subject to mandatory detention under § 1225,
6 but those who crossed illegally would be eligible for a bond under § 1226(a).

7 **D. The Court should not follow the decision in *Echevarria*.**

8 Respondents are aware of a prior decision in this District rejecting Respondents’
9 position, *see Echevarria v. Bondi, et al.*, No. 2:25-cv-03252-PHX-DWL, 2025 WL 2821282
10 (D. Ariz. Oct. 3, 2025), but respectfully maintain that Petitioner has not been deprived of
11 due process, and falls within the definition of an “arriving alien” warranting mandatory
12 detention as the removal process unfolds. Respondents also respectfully maintain that an
13 alien is an “applicant for admission” until an immigration official has inspected that person
14 and determined that he or she is admissible into the United States.

15 In *Echevarria*, Judge Dominic Lanza determined that the phrase “alien seeking
16 admission” in 8 U.S.C. § 1225(b)(2)(A) implies a present-tense nature to the desire for
17 admission, such that an alien who is already present in the United States cannot be “seeking
18 admission”:

19 The word “seeking” is the present participle of the verb “seek.” It thus has a
20 temporal element—Petitioner must have been in the process of seeking
admission at the time of the inspection.

21 It is hard to see how Petitioner could be deemed to have been “seeking”
22 admission at the time of the encounter on July 2, 2025. By that point,
23 Petitioner had already been present in the United States for 24 years, having
24 arrived and entered in 2001. Moreover, under Respondents’ interpretation of
25 § 1225(a)(1), Petitioner became an “applicant for admission” in 2001, upon
26 his arrival and entry. Implicit in Respondents’ position, then, is that Petitioner
27 somehow existed in a perpetual state of “seeking” admission during the 24-
28 year period between when he first became an “applicant for admission” in
2001, by virtue of his entry into the country, and when he was encountered
and inspected by an immigration officer in 2025.

Echevarria, 2025 WL 2821282, at *6 (internal citations omitted).

1 However, this analysis fails to consider other pieces of statutory context.
2 Respondents respectfully argue that the phrase “applicants for admission” carves out a
3 subset of those who are “seeking admission.” For example, elsewhere in section 1225, the
4 statute says that “[a]ll aliens who are applicants for admission *or otherwise seeking*
5 *admission* or readmission to or transit through the United States shall be inspected by
6 immigration officers.” 8 U.S.C. § 1225(a)(3) (emphasis added). In other words, 8 U.S.C.
7 § 1225(a)(3) shows that an alien may be “seeking admission” either by being an “applicant
8 for admission,” or in some different way. As discussed earlier, the phrase “applicant for
9 admission” unambiguously includes aliens who have already entered the United States. “In
10 all but the most unusual situations, a single use of a statutory phrase must have a fixed
11 meaning.” *See Cochise Consultancy, Inc. v. United States ex rel. Hunt*, 587 U.S. 262, 268
12 (2019) (referring to *Ratzlaf v. United States*, 510 U.S. 135, 143 (1994)). “We therefore avoid
13 interpretations that would ‘attribute different meanings to the same phrase.’” *Id.* (quoting
14 *Reno v. Bossier Parish School Bd.*, 528 U. S. 320, 329 (2000)). Thus, the *Echevarria*
15 decision is not supported by the text of the statute, and Respondents respectfully request this
16 Court reach a different result.

17 Furthermore, Respondents direct the Court’s attention to a decision issued on
18 September 30, 2025, in the United States District Court for the District of Nebraska: *Vargas*
19 *Lopez v. Trump, et al.*, No. 8:25CV526, 2025 WL 2780351 (D. Neb. Sept. 30, 2025). In that
20 case, the court denied a similar habeas petition brought by an alien who entered the United
21 States in 2013, and held that the petitioner was properly detained under § 1225(b)(2) as an
22 alien within the “catchall” scope of § 1225(b)(2) subject to detention without possibility of
23 release on bond through § 1229a removal proceedings. 2025 WL 2780351, at *6-9. The
24 court noted that illegally remaining in the country for years did not mean the petitioner, who
25 “wish[ed] to stay in this country,” was suddenly not an “applicant for admission.” *Id.* at *9.
26 Additionally, “even if Vargas Lopez might fall within the scope of § 1226(a), he certainly
27 fits within the language of § 1225(b)(2) as well.” *Id.*

28 The *Vargas Lopez* decision also noted the “overlapping relationship between
§ 1225(b) and § 1226(a) is not only consistent with the plain language of the two provisions

1 but consistent with the interpretation of the two provisions under *Jennings*.” *Id.* The court
2 determined that § 1226 does not contain language limiting its application “to aliens already
3 present in the United States.” *Id.* (comparing *Jennings*’ statements that United States
4 immigration law “authorizes the Government to detain certain aliens already in the country
5 pending the outcome of removal proceedings under §§ 1226(a) and (c)[,]” and that “§ 1226
6 applies to aliens already present in the United States[.]” 583 U.S. at 289 (first quote) and
7 303 (second quote), *with* 8 U.S.C. § 1226(a) (containing no reference to aliens “present” or
8 “already present” in the United States) and 8 U.S.C. § 1226(c) (containing no reference to
9 “criminal aliens” “present” or “already present” in the United States). The court determined
10 that “references to ‘aliens’ in § 1226 must be read to mean ‘alien[s] present in the United
11 States who ha[ve] not been admitted’ within the meaning of § 1225(a)(1) and within at least
12 the ‘catchall provision that applies to all applicants for admission not covered by
13 § 1225(b)(1) in § 1225(b)(2).” 2025 WL2780351, at * 9 (citing *Jennings*, 583 U.S. at 287).

14 The Southern District of California also denied a temporary restraining order sought
15 by an alien who was detained under § 1225(b)(2) despite having been surreptitiously present
16 in the United States for years. *See Chavez v. Noem*, --F. Supp. 3d --, No. 3:25-cv-02325-
17 CAB, 2025 WL 2730228 (S.D. Cal. Sept. 24, 2025). The court noted, among other
18 arguments, that “Section 1225(a)(1) expressly defines that ‘[a]n alien present in the United
19 States who has not been admitted . . . shall be deemed for purposes of this Act *an applicant*
20 *for admission.*” *Id.* at *4 (quoting 8 U.S.C. § 1225(a)(1)) (emphasis in original). The court
21 reasoned that, “Petitioners do not contest that they are ‘alien[s] present in the United States
22 who ha[ve]not been admitted.’ By the plain language of § 1225(a)(1), then, Petitioners are
23 ‘applicants for admission’ and thus subject to the mandatory detention provisions of
24 ‘applicants for admission’ under § 1225(b)(2).” *Id.* (cleaned up). Respondents respectfully
25 request this Court find *Lopez v. Trump* and *Chavez v. Noem* persuasive as they are consistent
26 with the plain language of the INA, and also inform the Court of similar decisions issued in
27 *Sandoval v. Acuna*, No. 6:25-cv-01467, 2025 WL 3048926 (W.D. La. Oct. 31, 2025)
28 (holding that petitioner who entered without inspection in 2023 was properly detained under
§ 1225(b)(2)(A) as an applicant for admission) and *Garibay-Robledo v. Noem*, No. 1:25-

1 CV-177-H, Doc. 9 (N.D. Tex. Oct. 24, 2025) (denying TRO sought by alien who had been
2 living in the United States for more than thirty years finding that the plain language of
3 § 1225(b) includes aliens present in the United States without having been admitted and that
4 regulations promulgated by the Executive Office of Immigration Review following
5 IIRIRA's enactment confirms that understanding of the statute). A copy of the decision in
6 *Garibay-Robledo* is attached as Exhibit B.

7 **III. CONCLUSION.**

8 In light of the above, Respondents respectfully request the Court deny Petitioner's
9 Petition for Writ of Habeas Corpus. If the Court grants the Petition, the Court should order
10 that Petitioner be given a bond hearing by the Immigration Court, not direct Petitioner's
11 immediate release from immigration detention.

12 Respectfully submitted this 5th day of November, 2025.

13 TIMOTHY COURCHAINED
14 United States Attorney
15 District of Arizona

16 *s/ Katherine R. Branch*
17 KATHERINE R. BRANCH
18 Assistant United States Attorney
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