Thomas Evans
GA Bar Number: 305649
Kuck Baxter LLC
365 Northridge Road, Suite 300
Atlanta, GA 30350
Phone: 404-949-8176
Fax: 404-816-8615
tevans@immigration.net

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
WAYCROSS DIVISION

Ronny Ronaldo SUQUI VILLA,

Petitioner,

v.

Tony NORMAND, Warden of Folkston ICE Processing Center in his official capacity; George STERLING, Deputy Field Office Director of the Atlanta Field Office, U.S. Immigration and Customs Enforcement; Todd LYONS, in his official capacity as Acting Director of U.S. Immigration and Customs Enforcement; Kristi NOEM, in her official capacity as Secretary of the U.S. Department of Homeland Security; Pamela BONDI, in her official capacity as U.S. Attorney General; Daren MARGOLIN, Director for Executive Office for Immigration Review,

Respondents.

CV 525-132

HEARING REQUESTED

PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241

INTRODUCTION

1. Petitioner Ronny Ronaldo Suqui Villa (A[redacted] is a native and citizen of Ecuador who has resided in the United States for around two years after entering without

inspection to seek asylum in the United States. He was detained shortly after his entry and was later released on his own recognizance, and he has been fully compliant with the terms of his release. He was apprehended during the widely publicized raid on the Hyundai plant in southern Georgia. He has no criminal history. U.S. Immigration and Customs Enforcement ("ICE") detained Mr. Suqui Villa and later transferred him to the Folkston ICE Processing Center in Georgia.

2. DHS has determined that Mr. Suqui Villa is detained under INA § 235(b)(2)(A), 8 U.S.C. § 1225(b)(2)(A), pursuant to a Board of Immigration Appeals ("BIA") opinion in *Matter of Q. Li*, 29 I&N Dec. 66 (BIA 2025), which stated that anyone detained at the United States border after entering without inspection is an "applicant for admission" and therefore ineligible for bond despite being released later. This policy later extended to all individuals who entered the country without inspection regardless of whether they were detained at the border pursuant to a July 2025 DHS policy and the BIA's decision in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). Under this interpretation, Immigration Judges are stripped of jurisdiction to conduct custody redeterminations, and individuals like Mr. Suqui Villa are categorically denied bond hearings despite decades of contrary agency and judicial practice.

3. Mr. Suqui Villa's detention under § 1225(b)(2)(A) violates the text and structure of the INA and its implementing regulations. Federal courts across the country have rejected DHS's new interpretation of § 1225(b)(2) and have held that detention of people detained at the border and later released, as well as long-time residents apprehended in the interior years later, is governed by § 1226(a). These courts recognize that applying § 1225(b)(2) to people detained and released on conditions or on their own recognizance misreads the statute and produces absurd results.

4. Respondents' new interpretation is arbitrary and capricious under the Administrative Procedure Act, because it abandons decades of consistent practice without explanation and was not adopted through required rulemaking procedures. Further, Mr. Suqui Villa's prolonged civil detention without access to a bond hearing violates the Due Process Clause of the Fifth Amendment.

5. Mr. Suqui Villa respectfully requests that this Court: (a) declare that his detention is governed by § 1226(a) and that he is therefore eligible for bond; (b) order Respondents to provide him with an immediate bond hearing before an Immigration Judge applying § 1226(a); and (c) if Respondents fail to provide such a hearing within a reasonable time, order his release from custody under appropriate conditions of supervision.

JURISDICTION AND VENUE

6. Mr. Suqui Villa is currently in the physical custody of Respondents at the Folkston ICE Processing Center in Folkston, Georgia.

7. This Court has jurisdiction under 28 U.S.C. § 2241 (*habeas corpus*), 28 U.S.C. § 1331 (*federal question*), 28 U.S.C. § 1651 (*All Writs Act*), 28 U.S.C. §§ 2201–2202 (*Declaratory Judgment Act*), 5 U.S.C. § 702 (*APA*), and Article I, Section 9, Clause 2 of the United States Constitution (*Suspension Clause*). Mr. Suqui Villa is presently in custody under color of the authority of the United States and challenges his custody as in violation of the Constitution, laws, or treaties of the United States.

8. Federal district courts have jurisdiction under § 2241 to hear habeas claims by individuals challenging the lawfulness of their detention by ICE. See, e.g., *Zadvydas v. Davis*, 533 U.S. 678 (2001); *Demore v. Kim*, 538 U.S. 510 (2003). The Supreme Court has repeatedly upheld such jurisdiction, most recently in *Jennings v. Rodriguez*, 583 U.S. 281, 292–96 (2018).

9. Venue is proper in the Southern District of Georgia, Waycross Division, pursuant to 28 U.S.C. §§ 1391 and 2241(d), because Petitioner is detained within this District at the Folkston ICE Processing Center.

PARTIES

10. Petitioner Ronny Ronaldo Suqui Villa is a native and citizen of Ecuador unlawfully detained at the Folkston ICE Processing Center in Folkston, Georgia. ICE has held him in custody since September 2025 after he was apprehended during a raid on a Hyundai plant in southern Georgia. He is not subject to a final order of removal. Under DHS's July 2025 policy and the BIA's decisions in *Matter of Q. Li* and *Matter of Yajure Hurtado*, Immigration Judges no longer have jurisdiction to redetermine custody for individuals like Mr. Suqui Villa. As a result, he has been categorically denied access to a bond hearing.

11. Respondent Tony Normand is the warden of the Folkston ICE Processing Center and controls the detention center where Petitioner is confined under the authority of ICE. Mr. Normand has direct physical custody of Petitioner and is his immediate custodian. Mr. Normand is sued in his official capacity.

12. Respondent George Sterling is the Acting Director of ICE's Atlanta Field Office, which has jurisdiction over ICE detention facilities in Georgia, including the Folkston ICE Processing Center. He exercises authority over Petitioner's detention and is sued in his official capacity.

13. Respondent Todd Lyons is the Acting Director of ICE. He is responsible for the overall administration of ICE and for the implementation and enforcement of the immigration laws, including immigrant detention. As such, Mr. Lyons is a legal custodian of Petitioner. He is sued in his official capacity.

14. Respondent Kristi Noem is the Secretary of the Department of Homeland Security ("DHS"). DHS is responsible for the administration of ICE, a component agency, and for the implementation and enforcement of the immigration laws. As such, Secretary Noem is a legal custodian of Petitioner. She is sued in her official capacity.

15. Respondent Pamela Bondi is the Attorney General of the United States and head of the Department of Justice, which encompasses the BIA and the Immigration Courts. The Attorney General shares responsibility for the implementation and enforcement of the immigration laws with Respondents Lyons and Noem. Attorney General Bondi is a legal custodian of Petitioner and is sued in her official capacity.

16. Respondent Daren Margolin is the Director of the Executive Office for Immigration Review ("EOIR"). He has ultimate responsibility for overseeing the operation of the immigration courts and the BIA, including the conduct of bond hearings. Director Margolin is sued in his official capacity.

FACTS

17. Petitioner Ronny Ronaldo Suqui Villa is a native and citizen of Ecuador who entered the United States without inspection around two years ago. After entering the country without inspection, he was detained by immigration officials and sought asylum in the United States out of his fear of returning to Ecuador. He was served with a Notice to Appear on September 29, 2023. *See* Exhibit A, Notice to Appear. On the same day, he was released from detention on an order of release on recognizance under INA § 236, 8 U.S.C. § 1226. *See* Exhibit B, Notice of Custody Determination (specifically mentioning that Mr. Suqui Villa was released "[i]n accordance with section 236 of the Immigration and Nationality Act and the applicable provisions" of 8 C.F.R.). He has made his life in the United States since then and has no criminal history.

18. On or about September 2025, ICE officers arrested and detained Mr. Suqui Villa even though he had employment authorization and permission to reside in the United States after a workplace raid on a Hyundai plant in southern Georgia. He was subsequently transferred to the Folkston ICE Processing Center in Folkston, Georgia, where he has remained in custody since that date.

19. Mr. Suqui Villa has no criminal history. He has never been convicted of any crime that would subject him to mandatory detention under INA § 1226(c). He is not subject to a final order of removal.

20. Historically, individuals like Mr. Suqui Villa were detained under INA § 236(a), 8 U.S.C. § 1226(a), which provides for release on bond or conditional parole. After the BIA's decision in *Matter of Q. Li*, however, any noncitizen detained at the United States border after entering without inspection was an "applicant for admission" under INA § 235(b)(2)(A), 8 U.S.C. § 1225(b)(2)(A), and deemed ineligible for bond. This was later extended to anyone who entered without inspection, regardless of whether they were detained at the border or hundreds of miles from the border and regardless of whether they were first apprehended decades from their initial entry in *Matter of Yajure Hurtado*.

21. As a result of this policy and decision, Immigration Judges lack jurisdiction to conduct custody redeterminations for individuals like Mr. Suqui Villa. He has been categorically denied the opportunity to seek bond, despite his strong community ties and absolutely no criminal record.

22. Federal district courts across the country have rejected *Matter of Q. Li*'s and *Matter of Yajure Hurtado*'s mandate of § 1225(b)(2) for individuals like Mr. Suqui Villa, finding instead

that detention of individuals like him is under § 1226(a). Nonetheless, ICE continues to hold him without access to a bond hearing.

LEGAL FRAMEWORK

23. Under 8 U.S.C. § 1226(a), individuals are generally entitled to discretionary bond determinations when detained. See 8 C.F.R. §§ 1003.19(a), 1236.1(d). Certain noncitizens who are arrested, charged with, or convicted of specified crimes are subject to mandatory detention until removal proceedings are concluded under 8 U.S.C. § 1226(c).

24. By contrast, 8 U.S.C. § 1225(b) applies to noncitizens encountered at the border. According to that provision, "in the case of an alien who is an applicant for admission, if the examining immigration officer determines that an alien seeking admission is not clearly and beyond a doubt entitled to be admitted, the alien shall be detained." 8 U.S.C. § 1225(b)(2)(A). Thus, unless the noncitizen is paroled into the country under 8 U.S.C. § 1182(d)(5)(A) for "urgent humanitarian reasons or significant public benefit," such an individual is subject to mandatory detention and is ineligible for release on bond. *Jennings*, 583 U.S. at 288.

25. The U.S. Supreme Court has recognized that while "U.S. immigration law authorizes the Government to detain certain aliens seeking admission into the country under §§ 1225(b)(1) and (2)," "[i]t also authorizes the Government to detain certain aliens already in the country pending the outcome of removal proceedings under §§ 1226(a) and (c)." *Id.* at 289.

26. Following enactment of these statutes, EOIR issued regulations clarifying that individuals who entered the country without inspection but who were apprehended in the interior were not detained under § 1225, but instead under § 1226(a). See *Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures*, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997) ("Despite being applicants for admission,

aliens who are present without having been admitted or paroled...will be eligible for bond and bond redetermination."). For nearly three decades, this was the consistent practice.

27. In *Matter of Q. Li*, the BIA upended years of precedent and understanding of which noncitizens were considered detained under § 1225 versus § 1226. In that case, the noncitizen was arrested and detained under § 1225 at the border and was subsequently paroled into the United States. 29 I. & N. Dec. at 66. She was subsequently re-detained and denied bond because she was deemed to be an "applicant for admission" under § 1225, and her parole, which is the only exception to mandatory detention under § 1225, was later revoked when she was served with a Notice to Appear, thus returning her to her status under § 1225. *Id.*

28. Federal district courts across the country have rejected this interpretation. For example, in *Martinez v. Hyde*, Civ. No. 25-11613, --- F. Supp. 3d ----, 2025 WL 2084238 (D. Mass. July 24, 2025), the district court examined the exact factual circumstance of an individual detained at the border and later released under § 1226 subject to conditions like Mr. Suqui Villa. *Id.* at *2. The district court determined that § 1226 applies to those "already in the country" as per *Jennings*, and the petitioner could not have been released on his own recognizance or subject to special conditions if he was detained under § 1225. *Id.* The court there also distinguished the petitioner in that case from the noncitizen in *Q. Li*. In *Q. Li*, the noncitizen was detained under § 1225 and later paroled into the United States, and her parole was terminated by the filing of a Notice to Appear after she was re-detained. The petitioner in *Martinez*, like Mr. Suqui Villa, was already served with a Notice to Appear when he was detained initially, and he and Mr. Suqui Villa, unlike the Petitioner in *Q. Li*, were detained initially under § 1226 and not paroled into the country after being detained under § 1225. *Id.* at *3-4. The court in that case concluded that the noncitizen was detained under § 1226 and was eligible for release on bond. *Id.* at *8. That court found that

it was the Petitioner's subsequent arrest in 2025 that mattered, not his initial arrest, although both were subject to § 1226 as is the case with Mr. Suqui Villa. *Id.* at *8.

29. In July 2025, DHS abruptly adopted a new interpretation expanding on *Q. Li* and requiring detention under § 1225(b)(2)(A) for all noncitizens charged as inadmissible under 8 U.S.C. § 1182(a)(6)(A)(i). On September 5, 2025, the BIA issued *Yajure Hurtado*, 29 I&N Dec. 216, adopting DHS's view and holding that all noncitizens present in the United States without admission are "applicants for admission" subject to mandatory detention under § 1225(b)(2)(A). As a result, any individual who entered the country without inspection is ineligible for bond.

30. Around 100 district courts have rejected this position and have granted habeas petitions for petitioners like Mr. Suqui Villa. *See, e.g.*, *Rodriguez Vazquez v. Bostock*, Civ. No. 3:25-cv-05240, 779 F. Supp. 3d 1239 (W.D. Wash. 2025); *Gomes v. Hyde*, Civ. No. 1:25-cv-11571, 2025 WL 1869299 (D. Mass. July 7, 2025), *Garcia v. Hyde*, Civ. No. 25-11513 (D. Mass. July 14, 2025); *Rosado v. Bondi*, Civ. No. 25-02157, 2025 WL 2337099 (D. Ariz. Aug. 11, 2025); *Lopez-Benitez v. Francis*, Civ. No. 25-5937, 2025 WL 2371588, ---F. Supp.3d ---- (S.D.N.Y. Aug. 13, 2025); *Dos Santos v. Lyons*, Civ. No. 1:25-cv-12052, 2025 WL 2370988 (D. Mass. Aug. 14, 2025); *Aguilar Maldonado v. Olson*, Civ. No. 25-cv-3142, 2025 WL 2374411 (D. Minn. Aug. 15, 2025); *Escalante v. Bondi,* Civ. No. 25-cv-3051, 2025 WL 2212104 (D. Minn. July 31, 2025); *O.E. v. Bondi*, Civ. No. 25-cv-3051, 2025 WL 2235056 (D. Minn. Aug. 3, 2025); *Arrazola-Gonzalez v. Noem*, Civ. No. 5:25-cv-01789, 2025 WL 2379285 (C.D. Cal. Aug. 15, 2025); *Garcia Jimenez v. Kramer*, Civ. No. 25-cv-3162, 2025 WL 2374223 (D. Neb. Aug. 15, 2025); *Mayo Anicasio v. Kramer*, Civ. No. 4:25-cv-3158, 2025 WL 2374224 (D. Neb. Aug 14, 2025); *Rodriguez de Oliveira v. Joyce*, Civ. No. 2:25-cv-00291, 2025 WL 1826118 (D. Me. July 2, 2025); *Leal-Hernandez v. Noem*, Civ. No. 1:25-cv-02428, 2025 WL 2430025 (D. Md. Aug. 24, 2025); *Lopez-*

Campos, Civ. No. 2:25-cv-12486, 2025 WL 2496379 (E.D. Mich. Aug. 29, 2025); *Romero v. Hyde*, Civ. No. 25-11631, --- F. Supp. 3d ----, 2025 WL 2403827 (D. Mass. Aug. 19, 2025); *Doe v. Moniz*, Civ. No. 1:25-cv-12094, 2025 WL 2576819 (D. Mass. Sept. 5, 2025); *Herrera Torralba*, Civ. No. 2:25-cv-01366, 2025 WL 2581792 (D. Nev. Sept. 5, 2025); *Kostak v. Trump*, Civ. No. 3:25-1093, 2025 WL 2473136 (W.D. La. Aug. 27, 2025); *Simpiao v. Hyde*, Civ. No. 1:25-cv-11981-JEK, 2025 WL 2607925 (D. Mass Sept. 9, 2024); *Garcia Cortes v. Noem*, Civ. No. 1:25-cv-02677, 2025 WL 2652990 (D. Colo. Sept. 16, 2026); *Jimenez v. Warden*, Civ. No. 25-cv-326, 2025 WL 2639390 (D.N.H. Sept. 8, 2025); *Cuevas Guzman v. Andrews*, Civ. No. 1:25-cv-01015, 2025 WL 2617256 (E.D. Cal. Sept. 9, 2025); *Velasquez Salazar v. Dedos*, Civ. No. 1:25-cv-00835, 2025 WL 2676729 (D.N.M. Sept., 17, 2025); *Hasan v. Crawford*, 1:25-cv-1408, 2025 WL 2682255 (E.D. Va., Sept. 19, 2025);); *Singh v. Lewis*, Civ. No. 4:25-cv-96, 2025 WL 2699219 (W.D.Ky., Sept. 22, 2025); *Beltran Barrera v. Tindall*, Civ. No. 3:25-cv-541, 2025 WL 2690565 (W.D.Ky., Sept. 19, 2025); *Chogllo Chafla v. Scott*, 2025 WL 2688541, (D.Me., Sept. 21, 2025); *Chiliquinga Yumbillo v. Stamper*, Civ. No. 2:25-cv-00479 (D.Me., Sept. 19, 2025).

31. One of the only courts that ruled to the contrary, *Pena v. Hyde*, 2025 WL 2108913 (D. Mass. July 28, 2025), concerned a different issue as to the effect of an approved family petition and is therefore not relevant to the instant case, as a different judge from that same district recognized. *Romero*, --- F. Supp. 3d ----, 2025 WL 2403827, at *1 n.1. The only other case that appears to support Respondents' position, *Chavez v. Noem*, No. 3:25-cv-02324, 2025 WL 2730228 (S.D. Cal., Sept. 24, 2025), essentially regurgitates the BIA's opinion in *Yajure Hurtado*, to which this Court owes no deference. *See Loper Bright Enters. v. Raimondo*, 603 U.S. 369 (2024) (holding that "Courts must exercise their independent judgment in deciding whether an agency has acted within its statutory authority[.]"). Further, other courts have rejected the decision in *Chavez* and

its inability to grapple with the issues in that case. *See Cordero Pelico v. Kaiser*, No. 25-cv-07286, 2025 WL 2822876 (N.D. Cal., Oct. 3, 2025).

32. A court in the Eleventh Circuit recently agreed with Mr. Suqui Villa's position, finding "every court to address the question presented here has found that an alien who is not presently seeking admission and has been in the United States for an extended time, like [the Petitioner], is appropriately classified under § 1226(a) and not § 1225(b)(2)(A). *Hernandez Lopez v. Hardin*, Civ. No. 2:25-cv-830, 2025 WL 2732717, at *2 (M.D. Fla., Sept. 25, 2025). Two other courts within this Circuit have also ruled in favor of petitioners like Mr. Suqui Villa. *See Aguilar Merino v. Ripa*, Civ. No. 25-23845, 2025 WL 2941609 (S.D. Fla., Oct. 15, 2025); *Alvarez Puga v. Assistant Field Office Director*, Civ. No. 25-24535, 2025 WL 2938369 (S.D. Fla., Oct. 15, 2025).

33. The government's interpretation defies the INA's text and structure. Section 1226(a) explicitly applies to individuals charged as inadmissible after entry without inspection. Congress reinforced this point in 2025 by amending § 1226(c) through the Laken Riley Act to exclude from bond eligibility certain noncitizens who entered without inspection and committed crimes. If Congress had intended all such individuals to be subject to mandatory detention under § 1225(b)(2)(A), it would not have needed to create these specific carve-outs. Construing § 1225(b)(2)(A) as the government suggests renders § 1226(c)(1)(E) superfluous, in violation of the canon against surplusage. See *Corley v. United States*, 556 U.S. 303 (2009).

34. This approach is consistent with Eleventh Circuit precedent. In *Ortiz-Bouchet v. U.S. Attorney General*, 714 F.3d 1353 (11th Cir. 2013), the court held that noncitizens already present in the United States seeking to adjust status were not "applicants for admission." The Supreme Court has likewise recognized that mandatory detention under § 1225(b) applies "at the

Nation's borders and ports of entry, where the Government must determine whether an alien seeking to enter the country is inadmissible." *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018).

35. Therefore, the mandatory detention provisions of § 1225(b)(2) do not apply to Mr. Suqui Villa, who was apprehended within the United States, released under § 1226, and was detained again hundreds of miles from the border years later. He is detained under § 1226(a) and is eligible for a bond hearing.

CLAIMS FOR RELIEF

COUNT 1

Violation of 8 U.S.C. § 1226(a)
Unlawful Denial of Release on Bond

36. Petitioner realleges and incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein.

37. The mandatory detention provision of § 1225(b)(2) does not apply to noncitizens like Mr. Suqui Villa who were apprehended inside the United States and released subject to conditions pursuant to § 1226, and later re-detained. Such individuals are detained under § 1226(a) and are eligible for release on bond.

38. Respondents' decision to detain Mr. Suqui Villa under § 1225(b)(2)(A) unlawfully denies him access to a bond hearing in violation of the INA.

COUNT II

Violation of the Bond Regulations, 8 C.F.R. §§ 236.1, 1236.1, and 1003.19

39. Petitioner realleges and incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein.

40. For decades, both Congress and the agencies charged with implementing the INA have recognized that individuals who were detained after entering without inspection are

detained under § 1226(a) and eligible for bond, as reflected in implementing regulations at 8 C.F.R. §§ 236.1, 1236.1, and 1003.19.

41. Despite this clear regulatory framework, Respondents have unlawfully detained Mr. Suqui Villa by misapplying § 1225(b)(2).

42. Because Petitioner's detention has been unaccompanied by the procedural protections that such a significant deprivation of liberty requires, including access to a bond hearing, his continued detention violates the INA, its implementing regulations, and the Due Process Clause of the Fifth Amendment.

COUNT III

Violation of the Administrative Procedure Act Contrary to Law and Arbitrary and Capricious Agency Policy

43. Petitioner realleges and incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein.

44. Mandatory detention under § 1225(b)(2) does not apply to individuals apprehended in the interior of the United States where they were apprehended at the border and later released subject to conditions. Such noncitizens, including Mr. Suqui Villa, are detained under § 1226(a) and eligible for release on bond.

45. Respondents' application of § 1225(b)(2) to Petitioner contradicts the statutory scheme and departs from decades of consistent agency interpretation. This policy is arbitrary, capricious, and not in accordance with law, in violation of the APA, 5 U.S.C. § 706(2)(A).

COUNT IV

Violation of the Administrative Procedure Act Failure to Observe Required Procedures

46. Petitioner realleges and incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein.

47. Under the APA, a reviewing court must set aside agency action "without observance of procedure required by law." 5 U.S.C. § 706(2)(D). The APA requires agencies to engage in public notice-and-comment rulemaking before promulgating new rules or amending existing ones. 5 U.S.C. § 553(b), (c).

48. Respondents failed to comply with the APA by adopting and enforcing a new policy that reclassified individuals like Petitioner as subject to mandatory detention under § 1225(b)(2), without any rulemaking, notice, or opportunity to comment. This unlawful departure from prior regulations violates the APA.

COUNT V

Violation of the Fifth Amendment
Due Process

49. Petitioner realleges and incorporates by reference each and every allegation contained in the preceding paragraphs as if set forth fully herein.

50. Under the Fifth Amendment of the Constitution, no person shall be deprived of liberty without due process of law. Freedom from imprisonment and government custody lies at the core of the liberty protected by the Due Process Clause. See *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). The protections of the Due Process Clause extend to all persons within the United States, regardless of immigration status. *Id.* at 693.

51. Respondents' detention of Mr. Suqui Villa under § 1225(b)(2), without the possibility of release on bond or a meaningful custody redetermination, violates his right to due process under the Fifth Amendment.

PRAYER FOR RELIEF

WHEREFORE, Petitioner Ronny Ronaldo Suqui Villa prays that this Court grant the following relief:

1. Assume jurisdiction over this matter;
2. Order Respondents to show cause why the writ should not be granted within **three days**, pursuant to 28 U.S.C. § 2243;
3. Grant a writ of habeas corpus declaring that Petitioner's detention is governed by INA § 236(a), 8 U.S.C. § 1226(a), and ordering Respondents to provide him with an immediate bond hearing before an Immigration Judge applying § 1226(a);
4. In the alternative, order Petitioner's immediate release from custody under reasonable conditions of supervision if Respondents fail to provide such a bond hearing within a reasonable period of time;
5. Expedite consideration of this action pursuant to 28 U.S.C. § 1657 because it is an action brought under chapter 153 (habeas corpus) of Title 28;
6. In the event the Court determines a genuine dispute of material fact exists regarding Petitioner's entitlement to habeas relief, schedule an evidentiary hearing pursuant to 28 U.S.C. § 2243;
7. Enter preliminary and permanent injunctive relief enjoining Respondents from further unlawful detention of Petitioner;
8. Declare that Petitioner's detention violates the INA;
9. Declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment;
10. Declare that Petitioner's detention is arbitrary, capricious, and in violation of the

Administrative Procedure Act;

11. Award reasonable attorney's fees and costs pursuant to the Equal Access to Justice Act, 5 U.S.C. § 504 and 28 U.S.C. § 2412; and

12. Grant such further relief as this Court deems just and proper.

Dated: October 23, 2025

Respectfully submitted,

/s/ Thomas Evans

Thomas Evans
KUCK BAXTER LLC
P.O. Box 501359
Atlanta, Georgia 31150
Tel.: (404) 949-8176
tevans@immigration.net