

LAW OFFICE OF PERHAM MAKABI, ESQ
8015 Lefferts Blvd Suite 1R
Kew Gardens, NY 11415

November 26, 2025

BY ECF

The Honorable Claire C. Cecchi, U.S.D.J.
U.S. District Court for the District of New Jersey
50 Walnut Street
Newark, NJ 07102

Re: Romero Martinez v. Chu, No. 2:25-cv-16915-CCC
Reply to Answer

Dear Judge Cecchi:

This Office represents Petitioner Alejandro Stalin Romero Martinez, a noncitizen in the custody of U.S. Immigration and Customs Enforcement (“ICE”). We write in reply to Respondent’s Answer, requesting Petitioner’s Petition for a Writ of Habeas Corpus be granted for the reasons below.

Petitioner has been denied a bond determination in Immigration Court because the Respondents advance a new statutory interpretation that defies the text, structure, and purpose of the Immigration and Nationality Act (INA), and reverses decades of consistent agency practice. The government’s position, previously argued and rejected by this Court in *Rivera Zumba v. Bondi*, 2025 WL 2753496 (D.N.J. Sept. 26, 2025), mandates the detention, without a bond hearing, of millions of longtime residents of the United States. The New Jersey District Court has also rejected this same statutory interpretation in numerous other recent cases. *See Bethancourt Soto v. Soto*, 2025 WL 2976572 (D.N.J. Oct. 22, 2025); *Mboup v. Field Off. Dir. of New Jersey Immig. and Cust. Enf’t*, 2025 WL 3062791 (D.N.J. Nov. 3, 2025); *Castillo v. Lyons*, 2025 WL 2940990 (D.N.J. Oct. 10, 2025); *Buestan v. Chu*, 2025 WL 2972252 (D.N.J. Oct. 21, 2025); *Patel v. Almodovar*, 2025 WL 3012323 (D.N.J. Oct. 28, 2025); *Ayala Amaya v. Bondi*, 2025 WL 3033880 (D.N.J. Oct.

30, 2025); *Lopez v. Noem*, 2025 WL 3101889 (D.N.J. Nov. 5, 2025); *Vicens-Marquez v. Soto*, 2025 WL 3097496 (D.N.J. Nov. 6, 2025); *Guaman Naula v. Noem*, 2025 WL 3158490 (D.N.J. Nov. 12, 2025); *da Silva v. LaForge*, 2025 WL 3173859 (D.N.J. Nov. 13, 2025); *Illescas v. Chu*, 2025 WL 3216850 (D.N.J. Nov. 18, 2025); *Yovanys Perez v. Lyons*, 2025 WL 3238540 (D.N.J. Nov. 19, 2025); *Vasquez Lucero v. Soto*, 2025 WL 3240895 (D.N.J. Nov. 20, 2025); *Singh Sandhu v. Tsoukaris*, 2025 WL 3240810 (D.N.J. Nov. 20, 2025); *Ramos v. Rokosky*, 2025 WL 3063588 (D.N.J. Nov. 3, 2025); *Lomeu v. Soto*, 2025 WL 2981296 (D.N.J. Oct. 23, 2025); *Sandoval v. Rokosky*, 2025 WL 3204746 (D.N.J. Nov. 17, 2025); *Velasquez-Gomez v. Soto*, 2025 WL 3251443 (D.N.J. Nov. 21, 2025); *Valerio v. Joyce*, 2025 WL 3251445 (D.N.J. Nov. 21, 2025); *Aguilar Ramos v. Soto*, 2025 WL 3251447 (D.N.J. Nov. 21, 2025).

Additionally, Mr. Romero Martinez is a Bond Eligible Class Member, a class that was recently certified in United States District Court for the Central District of California. *See Lazaro Maldonado Bautista v. Ernesto Santacruz Jr*, 5:25-cv-01873, (C.D. Cal.). The certified Bond Eligible Class includes:

All noncitizens in the United States without lawful status who (1) have entered or will enter the United States without inspection; (2) were not or will not be apprehended upon arrival; and (3) are not or will not be subject to detention under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231 at the time the Department of Homeland Security makes an initial custody determination. *Id.*

Mr. Romero Martinez is indisputably a Bond Eligible Class Member, as he is a noncitizen who entered the United States without inspection and was apprehended years later, in the interior of the United States, in Nassau County, New York. Finally, the NTA issued to Mr. Romero Martinez on October 24, 2025, when he was initially taken into custody, designated him as “an alien present in the United States who has not been admitted or paroled.” Therefore, he was not and will not be subject to detention under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231. Accordingly, as a Bond

Eligible Class Member, Mr. Romero Martinez will be bound by the outcome of the *Lazaro Maldonado Bautista* case with regard “to Petitioners’ claims that the DHS Policy violates the INA and Due Process.” *Id.*

CONCLUSION

Petitioner respectfully requests that the Court grant Mr. Romero Martinez’s petition for writ of habeas corpus because he is detained in violation of federal law or the Constitution.

We thank the Court for its attention to this matter.

Respectfully submitted,

By: /s/ Perham Makabi
Perham Makabi, Esq.
Counsel for the Petitioner

cc: Counsel of record (by ECF)