

5. Section 2243 further provides that the court shall hold a hearing on the writ or order to show cause “not more than five days after the return unless for good cause additional time is allowed.”

6. In addition, Section 2243 states that the court “shall summarily hear and determine the facts and dispose of the matter as law and justice require.”

7. Pursuant to Section 2243, Petitioner requests that the Court immediately issue an order for Petitioner’s release because Respondents have failed to respond to the Order to Show Cause directing Respondents to file a return within three days of the Court’s order, showing cause, if any, why the writ of habeas corpus should not be granted, nor have they requested a short extension for good cause. *See* Rule 4 Screening Order, pg. 3.

8. Giving Respondents additional time to respond is inappropriate in this case because Petitioner faces irreparable harm: he is at risk of permanently losing his job and faces extreme mental anguish during this extended detention, with no foreseeable release date in sight. Petitioner’s request for bond under 8 USC 1226(a) was denied on October 29, 2025, pursuant to *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). *See* Immigration Judge’s Order, dated October 29, 2025.

9. Petitioner has been detained for over 48 days after ICE arrested him while he was working on a farm pursuant to a valid work authorization. (*See* Dkt 1.) He faces irreparable harm both mentally and physically with continued detention. Petitioner has never otherwise been arrested or committed a crime, and, thus, poses no danger to the community. (*See id.*) His physical liberty has been abrogated despite him posing no flight risk; indeed, he attended all of his immigration court hearing between 2018 and 2021, when the immigration judge, along with DHS,

jointly decided to close his immigration removal proceedings due the facts described in this paragraph. *See id.*

10. In light of these facts, Petitioner requests that his habeas corpus petition be granted at once, given the lack of response by Respondents to this Court's November 3, 2025 Order in this matter.

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