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UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
EL PASO DIVISION

RAQUEL AQUINO MATIAZ, Petitioner, v. **Warden, El Paso Service Processing Center;** **Mary De Anda-Ybarra,** ***Field Office Director,*** ***U.S. Immigration and Customs Enforcement;*** **Todd M. Lyons,** ***Acting Director,*** ***U.S. Immigration and Customs Enforcement;*** **Kristi Noem,** ***Secretary of United States*** ***Department of Homeland Security;*** **Pam Bondi,** ***Attorney General of the*** ***United States,*** **in their official capacities,** Respondents.	Case No. 3:25-CV-00508 **VERIFIED PETITION FOR WRIT OF HABEAS CORPUS** Expedited Hearing Requested

INTRODUCTION

1. PETITIONER/PLAINTIFF, Raquel Aquino Matiaz ("Petitioner" or "Ms. Aquino"), by and through her undersigned counsel, hereby petitions this Honorable Court to issue a writ of habeas corpus to order her immediate release, or alternatively, a bond hearing be held for her release from continued detention in the custody of the United States Department of Homeland Security, Immigration and Customs Enforcement ("DHS-ICE") as her

continued detention is a violation of due process, and constitutes an unlawful detention.

2. She is now unlawfully detained because the Department of Homeland Security (DHS) and the Executive Office of Immigration Review (EOIR) have concluded that Petitioner is subject to mandatory detention.

3. Petitioner has an I-918 Petition for U-Visa Application, as the victim of a qualifying crime who assisted law enforcement, pending before the United States Citizenship and Immigration Services (USCIS). *See* **I-918 Receipt Notice[1], Exhibit A.** USCIS determined that her petition was bona fide, granted her deferred action, and issued an employment authorization document. *See* **Employment Authorization Document under C14** (category for Deferred Action), **Exhibit A.**

4. Petitioner is charged, inter alia, with having entered the United States without inspection. 8 U.S.C. § 1182(a)(6)(A)(i). *See* **Notice to Appear, Exhibit B.**

5. Based on this allegation in Petitioner's removal proceeding, DHS denied Petitioner release from immigration custody, consistent with a new DHS policy issued on July 8, 2025, instructing all Immigration and Customs Enforcement (ICE) employees to consider anyone inadmissible under § 1182(a)(6)(A)(i)—i.e., those who entered the United States without inspection—to be an "applicant for admission" under 8 U.S.C. § 1225(b)(2)(A) and therefore subject to mandatory detention.

6. Petitioner sought a bond redetermination hearing before an immigration judge (IJ), but on October 30, 2025, the IJ denied the bond request. *See* **Immigration Judge Bond Decision, Exhibit C.** The IJ based this decision on the same legal analysis. Indeed, the DHS policy

[1] Petitioner was initially assigned an A# [redacted] after filing with USCIS, and was assigned a different A# [redacted] on detention; further indicating DHS ignoring background checks before detaining individuals.

concluded that, notwithstanding Petitioner's 19 years of residing in the United States, she is nevertheless an "applicant for admission" who is "seeking admission" and subject to mandatory detention under § 1225(b)(2)(A).

7. Petitioner's detention on this basis violates the plain language of the Immigration and Nationality Act. Section 1225(b)(2)(A) does not apply to individuals like Petitioner who previously entered the United States and are now residing in the United States. Instead, such individuals are subject to a different statute, § 1226(a), that allows for release on conditional parole or bond. That statute expressly applies to people who, like Petitioner, are charged as inadmissible for having entered the United States without inspection.

8. Respondents' new legal interpretation is plainly contrary to the statutory framework and contrary to decades of agency practice applying § 1226(a) to people like Petitioner.

9. Accordingly, Petitioner seeks a writ of habeas corpus requiring that she be released unless Respondents provide a bond hearing under § 1226(a) within fourteen days, where the Government bears the burden of proof to show, by "clear and convincing evidence," that Ms. Aquino is either a flight risk or a danger to the community. Alternatively, she argues DHS's detention of her is arbitrary and capricious in violation of Administrative Procedure Act (APA).

10. In support of this petition, the Petitioner states by and through counsel as follows:

JURISDICTION

11. This action arises under the Constitution, the Immigration & Nationality Act of 1990, as amended ("INA"), 8 U.S.C. §1101 et seq., and the Administrative Procedure Act ("APA"), 5 U.S.C. §701 et seq. This Court has habeas jurisdiction pursuant to 28 U.S.C. §2241, Art. 1, §9, Cl. 2 of the United States Constitution (the "Suspension Clause"); and the common

law. This Court may also exercise jurisdiction pursuant to 28 U.S.C. §1331 and may grant relief pursuant to the Declaratory Judgment Act, 28 U.S.C. §2201 et seq., and the All Writs Act, 28 U.S.C. §1651.

12. On May 11, 2005, Congress passed the REAL ID Act of 2005, Pub. L. No. 109-13, 119 Stat. 231. The REAL ID Act divested federal district courts of jurisdiction to review final orders of deportation, exclusion and/or removal. However, federal district courts still retain jurisdiction through habeas corpus over the detention of aliens through habeas corpus.

VENUE

13. Venue lies in the United States District Court for the Western District of Texas, the judicial district of confinement, as the petitioner is physically being held in custody at the El Paso Service Processing Center located at 8915 Montana Ave, El Paso, TX 79925. This is in accordance with the decision of the United States Supreme Court in Rumsfeld v. Padilla, 124 S.Ct. 2711, 2725 (2004) ("Whenever a §2241 habeas petitioner seeks to challenge his present physical custody within the United States, he should name his warden as respondent and file the petition in the district of confinement").

REQUIREMENTS OF 28 U.S.C. § 2243

14. The Court must grant the petition for writ of habeas corpus or issue an order to show cause (OSC) to the respondents "forthwith," unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, the Court must require respondents to file a return "within *three days* unless for good cause additional time, not exceeding twenty days, is allowed." *Id.* (emphasis added).

15. Courts have long recognized the significance of the habeas statute in protecting individuals from unlawful detention. The Great Writ has been referred to as "perhaps the most

important writ known to the constitutional law of England, affording as it does a *swift* and imperative remedy in all cases of illegal restraint or confinement." Fay v. Noia, 372 U.S. 391, 400 (1963) (emphasis added).

PARTIES

16. Petitioner, Raquel Aquino Matiaz, is a native and citizen of Mexico who has been held in continuing detention by DHS-ICE since July 10, 2025. She is currently detained at the El Paso Service Processing Center in El Paso, TX.

17. The Warden of the El Paso Service Processing Center is sued in their official capacity as the Warden of the El Paso Service Processing Center in El Paso, TX. The warden has chief executive authority over the administration of the El Paso Service Processing Center. In this capacity, they have direct responsibility over the confinement of Raquel Aquino Matiaz.

18. Respondent, Mary De Anda-Ybarra, is sued in her official capacity as the Director of the El Paso Field Office of U.S. Immigration and Customs Enforcement. Respondent Anda-Ybarra is a legal custodian of Petitioner and has the authority to release her.

19. Respondent, Todd M. Lyons, is sued in his official capacity as the Acting Director of U.S. Immigration and Customs Enforcement. Respondent Lyons is a legal custodian of Petitioner and has the authority to release her.

20. Respondent, Kristi Noem, is sued in her official capacity as the Secretary of the U.S. Department of Homeland Security (DHS). In this capacity, Respondent Noem is responsible for the implementation and enforcement of the Immigration and Nationality Act, and oversees U.S. Immigration and Customs Enforcement the component agency

responsible for Petitioner's continued detention. Respondent Noem is a legal custodian of Petitioner.

21. Respondent, Pam Bondi, is sued in her official capacity as the Attorney General of the United States and the senior official of the U.S. Department of Justice (DOJ). In that capacity, she has the authority to adjudicate removal cases and to oversee the Executive Office for Immigration Review (EOIR), which administers the immigration courts and the BIA. Respondent Bondi is a legal custodian of Petitioner.

LEGAL FRAMEWORK

A. Petitioner's detention under 8 U.S.C. § 1225(b)(2)(A) is unlawful, and her custody is properly governed by 8 U.S.C. § 1226(a).

22. The Immigration and Nationality Act (INA) prescribes three basic forms of detention for noncitizens in removal proceedings.

23. First, 8 U.S.C. § 1226(a) authorizes the detention of noncitizens in standard non-expedited removal proceedings before an immigration judge (IJ). See 8 U.S.C. § 1229a. Individuals in § 1226(a) detention are entitled to a bond hearing at the outset of their detention, see 8 C.F.R. §§ 1003.19(a), 1236.1(d), while noncitizens who have been arrested, charged with, or convicted of certain crimes are subject to mandatory detention, see 8 U.S.C. § 1226(c).

24. Second, the INA provides for mandatory detention of noncitizens subject to expedited removal under 8 U.S.C. § 1225(b)(1) and for other recent arrivals seeking admission referred to under § 1225(b)(2).

25. Last, the Act also provides for detention of noncitizens who have been previously ordered removed, including individuals in withholding-only proceedings, see 8 U.S.C. § 1231(a)–(b).

26. This case concerns the detention provisions at §§ 1226(a) and 1225(b)(2).

27. The detention provisions at §§ 1226(a) and 1225(b)(2) were enacted as part of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996, Pub. L. No. 104-–208, Div. C, §§ 302–03, 110 Stat. 3009-546, 3009–582 to 3009–583, 3009–585. Section 1226(a) was most recently amended earlier this year by the Laken Riley Act, Pub. L. No.119-1, 139 Stat. 3 (2025).

28. Following enactment of the IIRIRA, DOJ drafted new regulations explaining that, in general, people who had entered the country without inspection and had been continuously present in the United States for over two years were not considered detained under § 1225, and that they were instead detained 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, 10355 (Mar. 6, 1997).

29. Thus, in the decades that followed, most people who entered without inspection—unless they were subject to some other detention authority—received bond hearings. That practice was consistent with many more decades of prior practice, in which noncitizens who were not deemed "arriving" were entitled to a custody hearing before an IJ or other hearing officer. *See* 8 U.S.C. § 1252(a) (1994); see also H.R. Rep. No. 104-469, pt. 1, at 229 (1996) (noting that § 1226(a) simply "restates" the detention authority previously found at § 1252(a)).

30. On July 8, 2025, ICE, "in coordination with" DOJ, announced a new policy that rejected well-established understanding of the statutory framework and reversed decades of practice.

31. The new policy, entitled "Interim Guidance Regarding Detention Authority for Applicants for Admission," claims that all persons who entered the United States without inspection

shall now be deemed "applicants for admission" under 8 U.S.C. § 1225, and therefore are subject to mandatory detention provision under § 1225(b)(2)(A). The policy applies regardless of when a person is apprehended, and affects those who have resided in the United States for months, years, and even decades.

32. In a September 5, 2025, published decision from the Board of Immigration Appeals (BIA), the DOJ adopts this same position. That decision holds that all noncitizens who entered the United States without admission or parole are considered applicants for admission and are ineligible for immigration judge bond hearings. Matter of Yajure Hurtado., 29 I&N Dec. 216 (BIA 2025).

33. This case is binding on Immigration Judges ("IJs") and essentially strips the Immigration Judges of jurisdiction to grant bonds to individuals caught within the U.S. who were not admitted or paroled, like the petitioner.

34. ICE and EOIR have adopted this position even though federal courts have rejected this exact conclusion. For example, after IJs in the Tacoma, Washington, immigration court stopped providing bond hearings for persons who entered the United States without inspection and who have since resided here, the U.S. District Court in the Western District of Washington found that such a reading of the INA is likely unlawful and that § 1226(a), not § 1225(b), applies to noncitizens who are not apprehended upon arrival to the United States. Rodriguez Vazquez v. Bostock, --- F. Supp. 3d --- 2025 WL 1193850 (W.D. Wash. Apr. 24, 2025); *see also* Gomes v. Hyde, No. 1:25-CV-11571-JEK, 2025 WL 1869299, at *8 (D. Mass. July 7, 2025) (granting habeas petition based on same conclusion).

35. DHS's and DOJ's interpretation defies the INA. As the Rodriguez Vazquez court explained, the plain text of the statutory provisions demonstrates that § 1226(a), not §

1225(b), applies to people like Petitioner.

36. Section 1226(a) applies by default to all persons "pending a decision on whether the [noncitizen] is to be removed from the United States." These removal hearings are held under § 1229a, to "decid[e] the inadmissibility or deportability of a[] [noncitizen]."

37. The text of § 1226 also explicitly applies to people charged as being inadmissible, including those who entered without inspection. *See* 8 U.S.C. § 1226(c)(1)(E). Subparagraph (E)'s reference to such people makes clear that, by default, such people are afforded a bond hearing under subsection (a). As the Rodriguez Vazquez court explained, "[w]hen Congress creates "specific exceptions" to a statute's applicability, it "proves" that absent those exceptions, the statute generally applies. Rodriguez Vazquez, 2025 WL 1193850, at *12 (*citing* Shady Grove Orthopedic Assocs., P.A. v. Allstate Ins. Co., 559 U.S. 393, 400 (2010)).

38. Section 1226 therefore leaves no doubt that it applies to people who face charges of being inadmissible to the United States, including those who are present without admission or parole.

39. By contrast, § 1225(b) applies to people arriving at U.S. ports of entry or who recently entered the United States. The statute's entire framework is premised on inspections at the border of people who are "seeking admission" to the United States. 8 U.S.C. § 1225(b)(2)(A). Indeed, the Supreme Court has explained that this mandatory detention scheme applies "at the Nation's borders and ports of entry, where the Government must determine whether a[] [noncitizen] seeking to enter the country is admissible." Jennings v. Rodriguez, 583 U.S. 281, 287 (2018).

40. Accordingly, the mandatory detention provision of § 1225(b)(2) does not apply to people

like Petitioner, who have already entered and were residing in the United States at the time they were apprehended.

B. The Constitution Protects Noncitizens Like Petitioner from Arbitrary Arrest and Detention.

41. The Constitution establishes due process rights for "all 'persons' within the United States, including [noncitizens], whether their presence here is lawful, unlawful, temporary, or permanent." Hernandez v. Sessions, 872 F.3d 976, 990 (9th Cir. 2017) (*quoting* Zadvydas, 533 U.S. at 693 (2001)). These due process rights are both substantive and procedural.

42. First, "[t]he touchstone of due process is protection of the individual against arbitrary action of government," Wolff v. McDonnell, 418 U.S. 539, 558 (1974), including "the exercise of power without any reasonable justification in the service of a legitimate government objective," Cnty. of Sacramento v. Lewis, 523 U.S. 833, 846 (1998).

43. These protections extend to noncitizens facing detention, as "[i]n our society liberty is the norm, and detention prior to trial or without trial is the carefully limited exception." United States v. Salerno, 481 U.S. 739, 755 (1987). Accordingly, "[f]reedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects." Zadvydas, 533 U.S. at 690.

44. Substantive due process thus requires that all forms of civil detention—including immigration detention—bear a "reasonable relation" to a non-punitive purpose. *See* Jackson v. Indiana, 406 U.S. 715, 738 (1972). The Supreme Court has recognized only two permissible non-punitive purposes for immigration detention: ensuring a noncitizen's appearance at immigration proceedings and preventing danger to the community. Zadvydas, 533 U.S. at 690–92; *see also* Demore v. Kim, 538 U.S. 510 at 519–20, 527–28,

31 (2003).

45. Second, the procedural component of the Due Process Clause prohibits the government from imposing even permissible physical restraints without adequate procedural safeguards. Generally, "the Constitution requires some kind of a hearing before the State deprives a person of liberty or property." Zinermon v. Burch, 494 U.S. 113, 127 (1990).

46. This is so even in cases where that freedom is lawfully revocable. *See* Hurd v. D.C., Gov't, 864 F.3d at 683 (*citing* Young v. Harper, 520 U.S. 143, 152 (1997) (re-detention after pre-parole conditional supervision requires pre-deprivation hearing)); Gagnon v. Scarpelli, 411 U.S. 778, 782 (1973) (same, in probation context); Morrissey v. Brewer, 408 U.S. 471 (1972) (same, in parole context).

47. After an initial release from custody on conditions, even a person paroled following a conviction for a criminal offense for which they may lawfully have remained incarcerated has a protected liberty interest in that conditional release. Morrissey at 408 U.S. at 482. As the Supreme Court recognized, "[t]he parolee has relied on at least an implicit promise that parole will be revoked only if he fails to live up to the parole conditions." Id. "By whatever name, the liberty is valuable and must be seen within the protection of the [Constitution]." Id.

48. This reasoning applies with equal if not greater force to people found within the U.S. who were never caught at the border, like Petitioner. After all, noncitizens living in the United States like Petitioner have a protected liberty interest in their ongoing freedom from confinement. *See* Zadvydas, 533 U.S. at 690. And, "[g]iven the civil context [of immigration detention], [the] liberty interest [of noncitizens released from custody] is arguably greater than the interest of parolees." Ortega v. Bonnar, 415 F. Supp. 3d 963, 970

(N.D. Cal. 2019).

C. Government's Action is in violation to the Arbitrary and Capricious Standard under the APA.

49. In the case at hand, Petitioner was granted deferred action by USCIS an agency within the Department of Homeland Security. "Deferred action" refers to an "exercise in administrative discretion" under which "no action will thereafter be taken to proceed" with the applicant's removal. Reno v. Am.-Arab Anti-Discrimination Comm., 525 U.S. 471, 484 (1999).

50. Congress has historically recognized the existence of deferred action in amendments to the Immigration and Nationality Act (INA), as well as other statutory enactments. See 8 U.S.C. § 1227(d)(2).

51. The Supreme Court has also recognized deferred action by name, describing the Executive's "regular practice (which ha[s] come to be known as 'deferred action') of exercising discretion for humanitarian reasons or simply for its own convenience." Reno v. Am.-Arab Anti-Discrimination Comm., 525 U.S. 471, 483–84, 119 S.Ct. 936, 142 L.Ed.2d 940 (1999) (AADC).

52. USCIS grants deferred action or parole to U-visa petitioners and qualifying family members while on the Waitlist to being approved. 8 C.F.R. § 214.14(d)(2). USCIS may authorize employment for such petitioners and qualifying family members. *Id.*

53. ICE's actions, given they are an agency within the same Department of Homeland Security, is diametrically opposed to USCIS's grant of deferred action. Without any explanation, ICE's actions are arbitrary and capricious.

54. Agency action must be set aside if the action was "arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law" or if the action failed to meet statutory, procedural,

or constitutional requirements. Citizens to Preserve Overton Park v. Volpe. 401 U.S. 402(1971).

55. Under the arbitrary and capricious standard, a reviewing court must consider whether an agency's decision was based on a consideration of the relevant factors and whether there has been a clear error of judgment. See Envtl. Def. Ctr., Inc. v. U.S. E.P.A., 344 F.3d 832, 858 n.36 (9th Cir. 2003).

56. The APA provides a cause of action to anyone "suffering legal wrong because of agency action." 5 U.S.C. §702 ("A person suffering legal wrong because of agency action, or adversely affected or aggrieved by agency action within the meaning of relevant statute, is entitled to judicial review thereof.").

STATEMENT OF FACTS

57. Ms. Aquino, a 36-year-old native and citizen of Mexico, entered the United States on or about January of 2006; over 19 years ago. She was never apprehended by ICE, and has no known criminal arrests nor convictions.

58. Having resided in the U.S. for over 19 years; she has extensive family ties including her U.S. Citizen husband; Miguel Angel Melo Barraza, and her U.S. Citizen children: [redacted] (son), [redacted] (son), and [redacted] (son), [redacted] [redacted] (daughter). She has been gainfully employed and looks after her child, [redacted] who is suffering from hearing loss. Petitioner's strong family ties indicate she is not a flight risk, nor a danger to society.

59. She was encountered by agents of ICE during a Los Angeles-area operation in Oxnard, CA at her workplace, on July 10, 2025, aka "the Los Angeles ICE Raids". Ms. Aquino currently has pending removal proceedings pursuant to 8 CFR §1240.

60. Petitioner has also filed for an I-918, Petition for U-Nonimmigrant Status, which USICS received on June 26, 2020. *See* **Exhibit A**. USCIS determined that her petition was bona fide, granted deferred action, and issued an employment authorization document. *See* **Exhibit B**.

61. While her removal proceedings are pending, the Immigration Judge ("IJ") on October 30, 2025, denied bond, indicating he lacked jurisdiction pursuant to Matter of Yajure Hurtado. *See* **Exhibit C.**

62. Despite prolonged custody, DHS has not revoked her deferred action status or employment authorization. She continues to be a beneficiary of deferred action granted by USCIS.

63. To this date, Ms. Aquino has been detained for over 100 days pending removal proceedings and will remain detained and separated from her family for months or even years. Her next hearing before the Immigration Judge is a Master Calendar hearing (preliminary hearing) scheduled for December 16, 2025.

64. If released, Ms. Aquino would return to her home in Oxnard, CA, and reside with her family, who have promised to provide shelter and take her to all her future hearing dates.

EXHAUSTION OF REMEDIES

65. There is no statutory exhaustion requirement in 28 U.S.C § 2241. However, the Court may require prudential exhaustion. Courts may waive the prudential exhaustion requirement if "administrative remedies are inadequate or not efficacious, pursuit of administrative remedies would be a futile gesture, irreparable injury will result, or the administrative proceedings would be void." Laing v. Ashcroft, 370 F.3d 994, 1000 (9th Cir. 2004) (quoting S.E.C. v. G.C. George Sec., Inc., 637 F.2d 685, 688 (9th Cir. 1981).

66. In detention cases, appeals to the Board of Immigration Appeals (BIA) can take months or

years. Thus, requiring habeas petitioners to appeal to the BIA to prudentially exhaust is not efficient, would cause irreparable harm by continuing to deprive a person of their liberty, and/or would be futile. Petitioner, has exhausted her administrative remedies to the extent required by law, and her only remedy is by way of this judicial action.

67. Despite the fact that Ms. Aquino properly requested a bond redetermination hearing before an Immigration Judge; she was denied a full and fair hearing due to the Board of Immigration Appeals decision in Matter of Yajure Hurtado., 29 I&N Dec. 216 (BIA 2025).

68. Given an appeal before the BIA which decided Matter of Yajure Hurtado is futile; requiring waiting for Petitioner to appeal and waiting for the BIA to decide on the appeal causes irreparable harm to Ms. Aquino.

69. Additionally, while Petitioner is detained, her removal proceedings continue in an expedited manner intended to order deportation before release; such that she is no longer eligible for a bond post-removal order.

70. Accordingly, any efforts to obtain release from custody from the Department of Homeland Security or from the Board of Immigration Appeals would be futile. Petitioner is currently in removal proceedings, so there is no possibility of removal in the near future. The federal district court retains authority to grant release on bond or any other condition of release.

CLAIMS FOR RELIEF

1. COUNT ONE

Violation of the INA

71. Petitioner incorporates by reference the allegations of fact set forth in the preceding paragraphs.

72. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to all noncitizens residing in the United States who are subject to the grounds of inadmissibility. As relevant

here, it does not apply to those who previously entered the country and have been residing in the United States prior to being apprehended and placed in removal proceedings by the Respondents. Such noncitizens are detained under § 1226(a), unless they are subject to § 1225(b)(1), § 1226(c), or § 1231.

73. The application of § 1225(b)(2) to Petitioner unlawfully mandates her continued detention and violates the INA.

2. COUNT TWO
Violation of APA

74. Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Petition as if fully set forth herein.

75. Petitioner, having been granted deferred action by USCIS and then being detained by ICE has no reasonable explanation aside from action that is arbitrary, capricious, or an abuse of discretion. Where an individual is protected from removal through deferred action, their detention serves no valid purpose. Sepúlveda Ayala v. Bondi, 25-cv-1063. 2025 WL2209708 at 4 (W.D. Wash. Aug. 4, 2025).

76. Given that Petitioner has properly applied for relief in the form of a U-visa, was granted deferred action, and no changes have occurred in her circumstances; the decision to detain Petitioner had no reasonable bearing on her being a flight risk nor a danger to society.

77. In fact, she was detained at her workplace where Petitioner was gainfully employed and was contributing to society. She had never been arrested before, continued to maintain strong family and community ties. As a result, her detention had no bearing on her risk of flight, and dangerousness. She was provided no reason for why she was being detained even though she was granted deferred action.

78. It appears the decision to continue to detain Ms. Aquino despite no changed circumstances, and the deferred action grant is arbitrary, capricious, or an abuse of discretion by ICE.

3. COUNT THREE
Violation of Fifth Amendment Right to Due Process
(Substantive Due Process—Detention)

79. Petitioner restates and realleges all paragraphs as if fully set forth here.

80. The Due Process Clause of the Fifth Amendment to the U.S. Constitution prohibits the federal government from depriving any person of "life, liberty, or property, without due process of law." U.S. Const. Amend. V. Due process protects "all 'persons' within the United States, including [non-citizens], whether their presence here is lawful, unlawful, temporary, or permanent." Zadvydas, 533 U.S. at 693. Immigration detention is constitutionally permissible only when it furthers the government's legitimate goals of ensuring the noncitizen's appearance during removal proceedings and preventing danger to the community. *See id.*

81. Here, the Petitioner has resided with her U.S. Citizen family in California for over 19 years, is gainfully employed, and involved in her community in Oxnard, CA. She has established a stable home and has not committed any crimes. Additionally, she is in removal proceedings pursuant to 8 CFR §1240 and cannot be removed until an immigration judge orders her removal. She has applied for a U-Visa and Cancellation of Removal for Certain Non-Permanent Residents pursuant to 8 U.S.C. § 1229b, offering her an opportunity for relief from removal. Having a stable residence, strong family ties, eligibility for relief, and no criminal history; she is neither a flight risk nor a danger to society.

82. Moreover, Petitioner's detention is punitive as it bears no "reasonable relation" to any legitimate government purpose. *Id.* (finding immigration detention is civil and thus

ostensibly "nonpunitive in purpose and effect"). Here, the purpose of Petitioner's detention appears to be "not to facilitate deportation, or to protect against risk of flight or dangerousness, but to incarcerate for other reasons"—namely, to meet newly-imposed DHS quotas and transfer immigration court venue to an expedited docket. Demore, 538 U.S. at 532–33 (Kennedy, J., concurring).

83. Because Petitioner's detention has no reasonable relation to her being a flight risk nor a danger to society, her continued confinement violates the Fifth Amendment.

4. COUNT FOUR

Violation of Fifth Amendment Right to Due Process
(Procedural Due Process—Detention)

84. Petitioner repeats and re-alleges the allegations contained in the preceding paragraphs of this Petition as if fully set forth herein.

85. "[I]n the context of immigration detention, it is well-settled that due process requires adequate procedural protections to ensure that the government's asserted justification for physical confinement outweighs the individual's constitutionally protected interest in avoiding physical restraint." Hernandez, 872 F.3d at 990; Zinermon, 494 U.S. at 127 (Generally, "the Constitution requires some kind of a hearing before the State deprives a person of liberty or property."). In the immigration context, for such hearings to comply with due process, the government must bear the burden to demonstrate, by clear and convincing evidence, that the noncitizen poses a flight risk or danger to the community. *See* Singh v. Holder, 638 F.3d 1196, 1203 (9th Cir. 2011); *see also* Martinez v. Clark, 124 F.4th 775, 785, 786 (9th Cir. 2024).

86. Petitioner's detention without a pre-deprivation hearing violates due process. Having resided in the U.S. for over 19 years without any criminal history, with no explanation of the justification of her detention, and no opportunity to contest her detention before a neutral

adjudicator before being taken into custody; Petitioner has not been provided notice and an opportunity to be heard. Additionally, given she was granted deferred action, a form of protection from deportation, and then detained without any notice or an opportunity to be heard further indicates a violation of due process.

87. Petitioner has a profound personal interest in her liberty. Because she received no procedural protections, the risk of erroneous deprivation is high. And the government has no legitimate interest in detaining Petitioner without a hearing; bond hearings are conducted as a matter of course in immigration proceedings, and nothing in Petitioner's record suggested that she would abscond or endanger the community before a bond hearing could be carried out. *See, e.g.*, Jorge M.F. v. Wilkinson, 2021 WL 783561, at 3 (N.D. Cal. Mar. 1, 2021); Vargas v. Jennings, 2020 WL 5074312, at 3 (N.D. Cal. Aug. 23, 2020) ("the government's concern that delay in scheduling a hearing could exacerbate flight risk or danger is unsubstantiated in light of petitioner's strong family ties and his continued employment during the pandemic as an essential agricultural worker"). As a result, Respondent's failure to provide an opportunity to prove she is not a flight risk nor a danger violated her due process rights afforded to her by the Constitution.

PRAYER FOR RELIEF

Wherefore, Petitioner respectfully requests this Court to grant the following:

(1) Assume jurisdiction over this matter;

(2) Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days;

(3) Declare that Petitioner is being detained pursuant to 8 USC § 1226(a) and order a bond hearing to be held within 7 days of this order, where the Government bears

the burden of proof to show, by "clear and convincing evidence," that Ms. Aquino is either a flight risk or a danger to the community;

(4) Declare that Petitioner's detention violates the Due Process Clause of the Fifth Amendment;

(5) Alternatively, issue a Writ of Habeas Corpus ordering Respondents to release Petitioner from custody;

(6) Issue an Order prohibiting the Respondents from transferring Petitioner from the district without the court's approval;

(7) Issue an Order prohibiting Respondents from revoking her deferred action without providing an explanation and an opportunity for Petitioner to present evidence rebutting Respondent's allegations;

(8) Enjoin Respondents from re-detaining Petitioner unless her re-detention is ordered at a custody hearing before a neutral arbiter in which the government bears the burden of proving, by clear and convincing evidence, that Petitioner is a flight risk or danger to the community;

(9) Order that Respondents may not place Petitioner in expedited removal proceedings or remove Petitioner except based on a final, executable removal order issued through Section 240 removal proceedings; and

(10) Grant any further relief this Court deems just and proper.

Respectfully submitted,
Raquel Aquino Matiaz
By her attorney:

Dated: 10/30/2025 Signed: /s/ Mitchell H. Shen

MITCHELL H. SHEN, ESQ.
Attorney for Petitioner
Law Office of Mitchell H. Shen & Associates
617 S. Olive St., Ste. 810
Los Angeles, CA 90014
Tel. (213) 878-0333; Fax (213) 402-2169
E-mail: MshenLaw @ gmail.com

VERIFICATION OF COMPLAINT

I, Mitchell H. Shen, Esq., state under penalty of perjury that I am the attorney for the Petitioner, Raquel Aquino Matiaz, in the foregoing petition, and declare the facts alleged here to be true, except those made on information and belief, which I believe to be true, and further state that the sources of my information and belief are documents and information provided to me by the Petitioner and her associates and family members.

Los Angeles, CA

Dated: 10/30/2025

Signed: /s/ Mitchell H. Shen

MITCHELL H. SHEN, ESQ.
Attorney for Petitioner
Law Office of Mitchell H. Shen & Associates
617 S. Olive St., Ste. 810
Los Angeles, CA 90014
Tel. (213) 878-0333; Fax (213) 402-2169
E-mail: MshenLaw @ gmail.com

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing was served via Certified Mail / Return Receipt to:

United States Attorney's Office
700 E. San Antonio,
Suite 200
El Paso, Texas 79901;

Warden, El Paso Service Processing Center
8915 Montana Ave,
El Paso, TX 79925

Mary De Anda-Ybarra, Field Office Director
U.S. Immigration and Customs Enforcement (ICE)
999 S Oregon St,
El Paso, TX 79901

Todd M. Lyons, Acting Director
U.S. Immigration and Customs Enforcement (ICE)
500 12th St SW
Washington, DC 20536

Kristi Noem, Secretary
U.S. Department of Homeland Security
Washington, D.C. 20528

Pam Bondi, Attorney General of the United States
950 Pennsylvania Ave., N.W. Room 45-45
Washington, DC 20530-0001; upon the date given below.

Date: 10/30/2025

Signature: /s/ Mitchell H. Shen
MITCHELL H. SHEN, ESQ.
Attorney for Petitioner
Law Office of Mitchell H. Shen & Associates
617 S. Olive St., Ste. 810
Los Angeles, CA 90014
Tel (213) 878-0333; Fax (213) 402-2169
E-mail: MshenLaw @ gmail.com

Petition for Writ of Habeas Corpus
Raquel Aquino Matiaz

EXHIBIT A

Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-797C, Notice of Action

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

Receipt Number [redacted]		Case Type: I918 - APPLICATION FOR U NONIMMIGRANT STATUS
Received Date: 06/26/2020	Priority Date:	Applicant: AQUINO MATIAZ, RAQUEL
Notice Date: 08/12/2020	Page: 1 of 2	Beneficiary: AQUINO MATIAZ, RAQUEL

RAQUEL AQUINO MATIAZ
c/o LAW OFFICE OF ARRON CHENAULT
619 S OLIVE STREET STE 202
LOS ANGELES CA 90014

Notice Type: Receipt Notice
Fee Waived

We have mailed an official notice about this case (and any relevant documentation) according to the mailing preferences you chose on Form G-28, Notice of Entry of Appearance as Attorney or Accredited Representative. This is a courtesy copy, not the official notice.

What the Official Notice Said

We have received the application or petition ("your case") listed above. This notice only shows that your case was filed on the "Received Date" listed above. It does NOT grant you any immigration status or immigration benefit, and it is not evidence that your case is still pending. We will notify you in writing when we make a decision on your case or if we need additional information.

Please save this and any other notices about your case for your records. You should also keep copies of anything you send us, as well as proof of delivery. Have these records available when you contact us about your case.

Contacting the Agency

If your safe mailing address changes and you do not have an attorney of record or representative on your case you must submit your address change in writing, with your signature, to the Vermont Service Center. Otherwise, you might not receive notice of your action on this case. If any other changes need to be made you also must contact the Vermont Service Center in writing. Please include what changes need to be made and your signature.

If you are an attorney of record and your client has cases filed with us you can contact the VAWA/T/U Customer Service Hotline: 1-802-527-4888.

Vermont Service Center
U.S. Citizenship & Immigration Services
75 Lower Welden Street
Saint Albans, VT 05479-0001

Processing time - Processing times vary by case type. Go to www.uscis.gov to see the current processing times listed by case type and office.

- View your case status on our website's Case Status Online page.
- You can also sign up to receive free email updates as we process your case.
- During most of the time while your case is pending, the processing status will not change. This is because we are working on cases that were filed before your case.
- When we make a decision on your case or if we need something from you, we will notify you by mail and update our systems.
- If you do not receive an initial decision or update from us within our current processing time, contact the VAWA Hotline 1-802-527-4888 or visit our website at www.uscis.gov.

Biometrics - We require biometrics (fingerprints, a photo, and a signature) for some types of cases. If we need biometrics from you, we will send you a SEPARATE appointment notice with a specific date, time and place for you to go to a USCIS Application Support Center (ASC) for biometrics processing. You must wait for that separate appointment notice and take it (NOT this receipt notice) to your ASC appointment along with your photo identification. Acceptable kinds of photo identification are:

- A passport or national photo ID issued by your country;
- A driver's license;
- A military photo ID; or
- A state-issued photo ID card.

If you receive more than one ASC appointment notice (even for different cases), take them both to the first appointment date.

Return of Original Documents - Use Form G-884, Request for the Return of Original Documents, to request the return of original documents submitted to establish eligibility for an immigration or citizenship benefit. You only need to submit one Form G-884 if you are requesting multiple documents contained

Please see the additional information on the back. You will be notified separately about any other cases you filed.

Vermont Service Center
U S CITIZENSHIP & IMMIGRATION SVC
75 Lower Welden Street
Saint Albans VT 05479-0001

USCIS Contact Center: www.uscis.gov/contactcenter

(1)

Department of Homeland Security
U.S. Citizenship and Immigration Services

Form I-797C, Notice of Action

THIS NOTICE DOES NOT GRANT ANY IMMIGRATION STATUS OR BENEFIT.

Receipt Number [redacted]		Case Type: 1918 - APPLICATION FOR U NONIMMIGRANT STATUS
Received Date: 06/26/2020	Priority Date:	Applicant: AQUINO MATIAZ, RAQUEL
Notice Date: 08/12/2020	Page: 2 of 2	Beneficiary: AQUINO MATIAZ, RAQUEL

in a single USCIS file. However, if the requested documentation is in more than one USCIS file, you must submit a separate request for each file. (For example: If you wish to obtain your mother's birth certificate and your parents' marriage certificate, both of which are in the USCIS file that pertains to her, submit one Form G-884 with your mother's information.)

NOTICE: Under the Immigration and Nationality Act (INA), the information you provide on and in support of applications and petitions is submitted under the penalty of perjury. USCIS and the U.S. Department of Homeland Security reserve the right to verify this information before and/or after making a decision on your case so we can ensure that you have complied with applicable laws, rules, regulations, and other legal authorities. We may review public information and records, contact others by mail, the internet or phone, conduct site inspections of businesses and residences, or use other methods of verification. We will use the information obtained to determine whether you are eligible for the benefit you seek. If we find any derogatory information, we will follow the law in determining whether to provide you (and the legal representative listed on your Form G-28, if you submitted one) an opportunity to address that information before we make a formal decision on your case or start proceedings.

Please see the additional information on the back. You will be notified separately about any other cases you filed.

Vermont Service Center
U. S CITIZENSHIP & IMMIGRATION SVC
75 Lower Welden Street
Saint Albans VT 05479-0001

USCIS Contact Center: www.uscis.gov/contactcenter

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If this is an interview or biometrics appointment notice, please see the back of this notice for important information.

Form I-797C 08/01/19

Petition for Writ of Habeas Corpus
Raquel Aquino Matiaz

EXHIBIT B

Uploaded on: 07/23/2025 at 10:15:18 AM (Mountain Daylight Time) Base City: EPD

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

DOB: [redacted]
Event No: [redacted]

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [redacted] FINS: [redacted] File No: [redacted]

In the Matter of:

Respondent: RAQUEL AQUINO currently residing at:

8915 MONTANA AVE EL PASO, TEXAS 79925
(Number, street, city, state and ZIP code) (Area code and phone number)

☐ You are an arriving alien.

☒ You are an alien present in the United States who has not been admitted or paroled.

☐ You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;

2. You are a native of MEXICO and a citizen of MEXICO;

3. You entered the United States at or near unknown, on or about unknown date;

4. You were not then admitted or paroled after inspection by an Immigration Officer.ORAt that time you arrived at a time or place other than as designated by the Attorney General.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

☐ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.

☐ Section 235(b)(1) order was vacated pursuant to: ☐ 8CFR 208.30 ☐ 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

8915 MONTANA AVENUE, EL PASO, TEXAS 79925. EL PASO SPC - CFR/RFR
(Complete Address of Immigration Court, including Room Number, if any)

on August 7, 2025 *(Date)* at 8:30 am *(Time)* to show why you should not be removed from the United States based on the charge(s) set forth above.

For J 6377 ORTEZ (A) SDDO
(Signature and Title of Issuing Officer)

Date: July 22, 2025 El Paso, Texas
(City and State)

EOIR - 1 of 3

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Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge. You will be advised by the immigration judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/i-589. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the internet at http://www.ice.gov/contact/ero, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before: _____

(Signature of Respondent)

_____ Date: _____

(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on July 22, 2025, in the following manner and in compliance with section 239(a)(1) of the Act.

☒ in person ☐ by certified mail, returned receipt # _____ requested ☐ by regular mail

☐ Attached is a credible fear worksheet.

☐ Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the SPANISH language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

Raquel Aguirre

(Signature of Respondent if Personally Served)

B11728 BOEHM - Deportation Officer

(Signature and Title of officer)

EOIR – 2 of 3

Privacy Act Statement

Authority:
The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

Purpose:
You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:
For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at https://www.dhs.gov/system-records-notices-sorns. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at https://www.justice.gov/opcl/doj-systems-records. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

Disclosure:
Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

EOIR – 3 of 3

Petition for Writ of Habeas Corpus
Raquel Aquino Matiaz

EXHIBIT C

UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
EL PASO SPC IMMIGRATION COURT

Respondent Name:
AQUINO, RAQUEL

To:
Shen, Mitchell H
617 S. Olive St., Ste. 810
Los Angeles, CA 90014

A-Number:
[redacted]

Riders:
In Custody Redetermination Proceedings

Date:
10/30/2025

ORDER OF THE IMMIGRATION JUDGE

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

☑ Denied, because
No jurisdiction. See Matter of Yajure Hurtado, 29 I&N Dec. 216 (BIA 2025).

☐ Granted. It is ordered that Respondent be:
- ☐ released from custody on his own recognizance.
- ☐ released from custody under bond of $
- ☐ other:

☐ Other:

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Immigration Judge: Dean S. Tuckman 10/30/2025

Appeal: Department of Homeland Security: ☑ waived ☐ reserved
Respondent: ☐ waived ☑ reserved
Appeal Due: 12/01/2025

Certificate of Service

This document was served:
Via: [M] Mail | [P] Personal Service | [E] Electronic Service | [U] Address Unavailable
To: [ ] Alien | [ ] Alien c/o custodial officer | [E] Alien atty/rep. | [E] DHS
Respondent Name : AQUINO, RAQUEL | A-Number : [redacted]
Riders:
Date: 10/30/2025 By: Antunez, Danny, Court Staff