Hope Skibitsky (Bar. No. 118302014)
Philip Lockwood-Bean*
QUINN EMANUEL URQUHART
& SULLIVAN, LLP
295 Fifth Avenue
New York, New York 10016
(212) 849-7000
hopeskibitsky@quinnemanuel.com
philiplockwood@quinnemanuel.com

* pro hac vice forthcoming

Pro bono counsel for
Petitioner-Plaintiff Jose Bryan Cruz Coreas

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

JOSE BRYAN CRUZ COREAS, *Petitioner-Plaintiff*, v. LUIS SOTO, in his official capacity as Warden of the Delaney Hall Detention Facility, RUBEN PEREZ, in his official capacity as Acting Field Office Director for the Newark Field Office for Immigration and Customs Enforcement; TODD M. LYONS, in his official capacity as Acting Director, U.S. Immigration and Customs Enforcement, KRISTI NOEM, in her official capacity as Secretary of Homeland Security; PAMELA JO BONDI, in her official capacity as Attorney General of the United States of America, *Respondent-Defendants*.	Case No. __:25-cv-_____ ( ) Expedited Hearing Requested Pursuant to Habeas Statute

PETITIONER-PLAINTIFF'S EMERGENCY VERIFIED PETITION FOR WRIT OF HABEAS CORPUS

INTRODUCTION

1. Petitioner Jose Bryan Cruz Coreas was detained by Immigration and Customs Enforcement (ICE) on May 16, 2025 and is currently confined at the Delaney Hall Detention Facility, in Newark, New Jersey. Petitioner has been subjected to unlawful detention because Respondents have subjected him to mandatory detention under 8 U.S.C. § 1225(b)(2)(A). Well over 100 district courts across the country have rejected Respondents' blanket application of 8 U.S.C. § 1225(b)(2)(A) to noncitizens like Petitioner and granted writs of habeas corpus for detained noncitizens, including at least 9 recent decisions in the District of New Jersey.

2. Petitioner is a Salvadoran national who fled El Salvador at the age of fourteen after [redacted] He entered the United States on or about August 24, 2016, and the Department of Homeland Security ("DHS") determined he was an unaccompanied child pursuant to the Trafficking Victims Protection Reauthorization Act ("TVPRA"), 8 U.S.C. § 1232. In accordance with the TVPRA, he was transferred to the Office of Refugee Resettlement ("ORR") and later released to the custody of his mother in Elizabeth, New Jersey, where he lived until his arrest by ICE.

3. In 2019, Petitioner was granted Special Immigrant Juvenile Status ("SIJS") and later received a grant of deferred action. He has lived in the United States for nine years and currently supports his family, which now includes his one-year-old son and pregnant partner. Petitioner's second child is due in January 2026. Petitioner is currently eligible to apply for his green card based on his grant of SIJS, after waiting six years for a visa to become available.

4. Petitioner's arrest was a violation of the Immigration and Nationality Act ("INA"), which permits DHS to detain noncitizens who are residing within the United States ***only after DHS***

makes an individualized determination to support any such detention. 8 U.S.C. § 1226(a).[1] The implementing regulations require that this pre-detention determination be guided by whether the noncitizen is a flight risk and whether the noncitizen is a danger to the community. DHS made no such determination, nor could it possibly have concluded that Petitioner is a flight risk or any danger to the community, as no facts would support that conclusion.

5. Instead, consistent with a new DHS policy issued on July 8, 2025, Respondents maintained that because Petitioner entered the United States without inspection or parole, he is subject to mandatory detention under 8 U.S.C. § 1225(b)(2)(A) and ineligible for bond. Respondents' radical new interpretation of 8 U.S.C. § 1225(b)(2)(A) is plainly contrary to the statutory framework, legislative history and decades of agency practice.

6. Petitioner's detention also violates his Due Process rights under the Fifth Amendment to the Constitution. Freedom from imprisonment lies at the heart of the Fifth Amendment's due process protections. The Government violated those protections when it arbitrarily arrested Petitioner without any prior individualized determination as to whether Petitioner constitutes a flight risk or danger (he does not). The Government continues to violate those Constitutional protections while it holds Petitioner for months.

7. When presented with a motion for custody redetermination, the immigration court concluded that it lacked jurisdiction to determine bond. The court made a cursory oral finding in the alternative that Petitioner was a flight risk, despite significant evidence to the contrary, denying him a meaningful opportunity to seek bond. It also did not cure Respondents' initial deprivation of an individualized pre-detention assessment.

[1] The INA is codified within Title 8 of the U.S. Code. The parallel citation for Section 236(a) of the INA is 8 U.S.C. § 1226(a), and the parallel citation for Section 235(b) is 8 U.S.C. § 1225(b).

8. Given the seriousness of the constitutional violations and the absence of genuine administrative remedy, Petitioner seeks a writ of habeas corpus granting immediate release.

JURISDICTION & VENUE

9. The federal district courts have jurisdiction to hear habeas corpus claims by noncitizens challenging the lawfulness or constitutionality of their detention by ICE. *Zumba v. Bondi*, 2025 WL 2753496, *11 (D.N.J. Sept. 26, 2025) (granting habeas relief to noncitizen challenging the lawfulness and constitutionality of her detention and ordering her release from detention within 24 hours); *Contreras Maldonado v. Cabezas*, 2025 WL 2985256, *6 (D.N.J. Oct. 23, 2025) (same).

10. This Court has subject matter jurisdiction over this Petition pursuant to Article I, § 9, cl. 2 of the United States Constitution (habeas corpus); 28 U.S.C. § 2241 *et seq.* (habeas corpus); 28 U.S.C. § 1331 (federal question jurisdiction); and 28 U.S.C. § 1651 (All Writs Act).

11. The Court has authority to grant declaratory and injunctive relief. 28 U.S.C. §§ 2201, 2202. The Court has authority under at least the Constitution, Article I, § 9, cl. 2 and the All Writs Act, 28 U.S.C. § 1651 to issue and enforce the writ of habeas corpus.

12. Venue is proper in this District under 28 U.S.C. § 2241(d) ("the application [for habeas corpus] may be filed in the district court for the district wherein such person is in custody"); 28 U.S.C. § 1391(b) (venue is proper in "a judicial district in which a substantial part of the events or omissions giving rise to the claim occurred"); and 28 U.S.C. § 1391(e)(1) (venue is proper in the district in which "a substantial part of the events or omissions giving rise to the claim occurred"). Venue is proper in this District because Petitioner is presently detained within this District and because a substantial part of the events or omissions giving rise to the claim occurred and are occurring in this District.

13. Under 28 U.S.C. § 2243, a court hearing a petition for a writ of habeas corpus must issue the writ or an order to show cause to the Respondent "forthwith." 28 U.S.C. § 2243. If an order to show cause is issued, the Court must require the Respondent to respond "within three days unless for good cause additional time, not exceeding twenty days, is allowed." *Id*.

PARTIES

14. Petitioner is a Salvadoran national who was detained by ICE on May 16, 2025 and is presently held in this District at the Delaney Hall Detention Facility, located at 451 Doremus Ave, Newark, NJ 07105. He is in the custody of Respondents and under their direct control.

15. Respondent Luis Soto is the Warden of the Delaney Hall Detention Facility, a federal incarceration facility located within this District. Mr. Soto is sued in his official capacity. Under 28 U.S.C. § 2443, "[t]he writ, or order to show cause[,] shall be directed to the person having custody of the person detained."

16. Respondent Ruben Perez is named in his official capacity as the Acting Field Office Director for the Newark Field Office for ICE within DHS. Mr. Perez is the Acting Field Office Director with DHS, ICE, Enforcement and Removal Operations, Newark Field Office whose duties include oversight of detention operations at the Delaney Hall Detention Facility in Newark, New Jersey. In his official capacity, he is responsible for the administration of immigration laws and the execution of detention and removal determinations and is the immediate custodian of Petitioner. Respondent Perez's address is U.S. Immigration and Customs Enforcement, 970 Broad Street, 11th Floor, Newark, New Jersey 07102.

17. Respondent Todd M. Lyons is named in his official capacity as the Acting Director of ICE within DHS. In this capacity he is responsible for administering and enforcing the immigration laws in New Jersey and is Petitioner's legal custodian. Respondent Lyons' address is 500 12th Street SW, Washington, DC 20536.

18. Respondent Kristi Noem is named in her official capacity as the Secretary of DHS. In her official capacity, Ms. Noem is responsible for the administration of the immigration laws pursuant to 8 U.S.C. § 1103(a); routinely transacts business in the District of New Jersey; is legally responsible for pursuing any effort to remove Petitioner; and is a legal custodian of Petitioner. Respondent Noem's address is U.S. Department of Homeland Security, 800 K Street N.W. #1000, Washington, D.C. 20528.

19. Respondent Pamela Jo Bondi is named in her official capacity as Attorney General of the United States and the senior official of the U.S. Department of Justice. In her official capacity, Ms. Bondi is responsible for administration of the immigration laws as exercised by the Executive Office for Immigration Review, pursuant to 8 U.S.C. § 1103(g). She routinely transacts business in the District of New Jersey and is legally responsible for administering Petitioner's removal and custody proceedings and for the standards used in those proceedings. As such, she is a legal custodian of Petitioner. Respondent Bondi's office is located at the United States Department of Justice, 950 Pennsylvania Avenue, N.W., Washington, D.C. 20530.

FACTS AND PROCEDURAL BACKGROUND

A. Petitioner's Life in the United States

20. Petitioner is a 23 year old citizen of El Salvador. He was abandoned at birth by his father, who lived only a few blocks away but never had a relationship with him or financially supported him. As a child in El Salvador, [redacted] Petitioner and his sister subsequently fled the country a few days later out of fear for their lives.

21. On or about August 24, 2016, Petitioner entered the United States through Hidalgo, Texas. *See* Ex. 1. Upon arrival, Petitioner and his sister—who were 14 and 12, respectively—surrendered to immigration officials. DHS issued a Warrant of Arrest and Notice of Custody Determination, both stating that his arrest was pursuant to Section 1226. *See* Exs. 2 and 3. DHS also issued a Notice to Appear ("NTA") but it was not filed with the immigration court. *See* Ex. 1. Thus, DHS did not commence active removal proceedings against Petitioner until his detention in May 2025.

22. DHS determined that Petitioner was an unaccompanied child and transferred him to the custody of ORR within the Department of Health and Human Services pursuant to the TVPRA. On September 13, 2016 Petitioner was released to the custody of his mother in Elizabeth, New Jersey. *See* Ex. 4.

23. Upon his arrival in New Jersey, Petitioner lived with his sister, mother, stepfather, and stepsiblings. He graduated from the John Dwyer Technology Academy in 2021. *See* Ex. 5. Petitioner began dating his partner, Lisette, in January 2023 and they welcomed their first child in November 2023. Lisette, Petitioner and their son live with Petitioner's family in Elizabeth, New Jersey. Lisette is pregnant with the couple's second child.

24. Prior to being detained by ICE, Petitioner paid all his son's expenses and provided daily care – feeding him, changing his diapers, taking him to the park, and watching cartoons together. While in detainment, Petitioner experiences acute stress and worry over being separated from his family, especially his son, whose second birthday is on [redacted] When he feels overwhelmed, Petitioner will call his family for support and listen to the babble of his son. Petitioner's family has been devastated by his improper detainment. Petitioner has missed the first words of his son, who calls out for him every night. Lisette feels his absence painfully as she

progresses through her second pregnancy, with an expected due date in [redacted] without his support. His family struggles emotionally and financially without him.

B. Grant of Special Immigrant Juvenile Status

25. On April 23, 2019, Petitioner was granted Special Immigrant Juvenile Status ("SIJS") by U.S. Citizenship and Immigration Services ("USCIS"). *See* Ex. 6. SIJS is a form of humanitarian protection and a path to lawful permanent residence for vulnerable immigrant youth under the age of 21 in the United States who have been abused, abandoned or neglected and are under the jurisdiction of a state juvenile court. U.S.C. § 1101(a)(27)(J)(i).

26. Once granted, "SIJ classification conveys a host of important benefits." *Osorio-Martinez v. Att'y Gen. Of the U.S.A.*, 893 F.3d 153, 163 (3d Cir. 2018). First, SIJ designees are "deemed … to have been paroled into the United States" for the purposes of adjustment of status. 8 U.S.C. § 1255(h)(1). Second, "the INA automatically exempts SIJ designees from a set of generally applicable grounds of inadmissibility and provides that the other grounds of inadmissibility also may be waived at the Attorney General's discretion. 8 U.S.C. §§ 1255(h)(2), 1182(a)." *Osorio-Martinez*, 893 F.3d at 163 (3d Cir. 2018). Third, Special Immigrant Juveniles also become eligible for a variety of ancillary benefits, "such as access to federally funded education programming and preferential status when seeking employment-based visas." *Id.* (citing §§ 1232(d)(4)(A), 1153(b)(4)).

27. Courts have recognized that "the Government must provide [SIJS recipients] an opportunity to pursue adjustment of status, and the way in which the Government seeks to remove them must adequately take stock of their SIJ Status." *Del Cid & Marroquin v. BONDI*, 2025 WL 2985150, at *4 (W.D. Pa. Oct. 23, 2025); *see also Joshua M. v. Barr*, 439 F. Supp. 3d 632, 679 (E.D. Va. 2020) (removing SIJS beneficiary and thereby "stripping [him] of his SIJ status, without

'good and sufficient cause,' appears to contravene the purpose of the SIJ statutes") (citing 8 U.S.C. § 1155; 8 C.F.R. § 205.2; *Osorio-Martinez*, 893 F.3d at 170).

28. To apply for SIJS, a young person must first petition a state family or juvenile court for an order finding, among other things, that it is not in their best interest to return to their home country. 8 U.S.C. § 101(a)(27)(J). Upon obtaining the family or juvenile court order, the young person must file Form I-360, a special immigrant application with USCIS.

29. Once the I-360 is granted, SIJS classification provides a young person with the right to apply for lawful permanent residence in the United States. *See* 8 U.S.C. 1255(a), (h)(1). However, a visa must be "immediately available" to the young person before they can apply, and because of annual limits on visas, SIJS beneficiaries must wait through years-long backlogs for visas to be available.

30. To protect vulnerable youth from the risk of removal while they wait for available visas, under a 2022 policy, USCIS considered SIJS beneficiaries for "deferred action"—a safeguard against deportation and a basis for applying for work authorization.[2] In other words, a beneficiary of an approved I-360 SIJS petition who is granted deferred action is protected from deportation while they wait for an available immigrant visa number. Under this policy, USCIS "consider[ed] granting deferred action on a case-by-case basis to noncitizens classified as SIJs who are ineligible to apply for adjustment of status ***solely due to unavailable immigrant visa numbers***." *Id.* (emphasis added). Deferred action under this policy lasted for a period of four years. *Id.*

31. As part of the SIJS approval process, USCIS granted Petitioner deferred action on February 16, 2023, protecting him from deportation for a period of four years while he waits for

[2] *See* Special Immigrant Juvenile Classification and Deferred Action, PA-2022-10, issued March 7, 2022, https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20220307-SIJAndDeferredAction.pdf.

an available visa number so he may adjust his immigration status to lawful permanent residence. *See* Ex. 7.

32. Although USCIS changed policy in June 2025 to eliminate automatic consideration of deferred action for SIJS grantees,[3] the policy ***does not terminate deferred action status for individuals***, like Petitioner, who are already recipients.

33. As of this filing, Petitioner ***still has deferred action***. *See* Ex. 7.

34. Petitioner filed his I-485 Application for Adjustment of Status on January 7, 2022, when a visa was available per the Visa Bulletin.[4] The Visa Bulletin is issued monthly by the U.S. Department of State and indicates when non-citizens are eligible to file depending on their visa category. Petitioner's application was not adjudicated due to multiple retrogressions in the Visa Bulletin. Per the October Visa Bulletin 2025, a visa is now available for Petitioner.[5] Petitioner's unlawful detention and the Government's initiation of immigration proceedings against him has prevented him from pursuing that status.

C. Petitioner's Detention and Bond

35. On May 16, 2025, Petitioner was driving home from work when he was pulled over by the police in Middlesex, New Jersey for a broken fog light. When police ran his name,

[3] *See* Special Immigrant Juvenile Classification and Deferred Action, PA-2025-07, issued June 6, 2025, https://www.uscis.gov/sites/default/files/document/policy-manual-updates/20250606-SIJDeferredAction.pdf. USCIS's elimination of automatic consideration of deterred action for SIJS grantees is being challenged in *A.C.R v. Noem*, No. 1:25-cv-3962, in the United States District Court for the Eastern District of New York.

[4] Immigrant visas for SIJS beneficiaries come from the Employment-Based 4th Preference (EB-4) immigrant visa category on the Monthly Visa Bulletin. A visa is available when the priority date is current per the "Final Action Dates" chart. A SIJS beneficiaries priority date is determined by the date of file of the I-360.

[5] The Visa Bulletin for November 2025 has been released, and a visa continues to be available for Petitioner in November.

they discovered a warrant for his arrest that was issued after Petitioner mistakenly failed to appear for a hearing on a simple assault charge. Petitioner discovered that he confused the family court proceedings with the related municipal court proceedings and, despite having appeared three (3) times before the family court in Elizabeth, New Jersey, a warrant was issued when he did not appear before the municipal court in Rahway, New Jersey. The Middlesex police brought Petitioner to the station for processing and released him the same day. After he was released, he was detained by immigration authorities. Petitioner's municipal court matter was subsequently downgraded to a non-criminal township ordinance noise violation. *See* Ex. 8.

36. Prior to arresting Petitioner, DHS did not make an individualized determination as to whether he is a flight risk or danger to the community, as required under Section 1226(a).

37. On August 13, 2025, Petitioner filed a motion for bond redetermination with the Elizabeth Immigration Court. *See* Ex. 8. Petitioner argued that because he arrived in the United States as an unaccompanied minor, his care and custody was governed by the TVPRA and he could not be detained under § 1225(b)(2)(a). Petitioner further argued that, independent of his prior status as an unaccompanied minor, he was still eligible for release on bond under § 1226(a).

38. The immigration court conducted a bond hearing on August 21, 2025. DHS argued that Petitioner was arrested while arriving in the United States and was therefore detained pursuant to section 235(b) of INA, and as a result, the court lacked jurisdiction to determine bond based on *Matter of Q Li*, I&N Dec. 66 (BIA 2025). *See* Ex. 9. The court agreed with DHS that Petitioner was detained under § 1225(b)(2)(a). *Id.* In the alternative and without a meaningful analysis, it found that Petitioner was a flight risk. *Id*. The court subsequently entered an order denying bond, solely on the basis that the "Court lacks jurisdiction as per *Matter of Q Li*, I&N Dec. 66 (BIA 2025)." *See* Ex. 10.

39. On or about September 22, Petitioner filed a notice of appeal with the Board of Immigration Appeals ("BIA") for the denial of the motion for bond redetermination. *See* Ex. 11. The appeal remains pending.

40. On September 15, 2025, the Elizabeth Immigration Court conducted an Individual Merits Hearing, where Petitioner requested adjudication of his SIJS-based I-485 Application for Adjustment of Status, which had been pending with USCIS since January 2022. Prior to the hearing, the U.S. Department of State issued the October Visa Bulletin, which indicated that Petitioner's SIJS-based priority date would be current on October 1, 2025. *See* Ex. 12.

41. At the hearing, the Immigration Judge pretermitted Petitioner's SIJS-based application for adjustment of status and ordered him removed from the United States. *See* Ex. 13. Despite the fact that the Department of State determined that a visa would be available in two weeks, the court reasoned that visa availability was "speculative" because it was not available on the day of the hearing. *Id*. The court also denied Petitioner's oral request for a two-week continuance to wait for visa availability on October 1, 2025. *See* Ex. 14.

42. On September 19, 2025, Petitioner filed a Motion to Reconsider the court's September 15, 2025 order pretermitting his I-485 Application for Adjustment of Status and denial of a two-week continuance. The immigration court denied the Motion to Reconsider on September 25, 2025, holding that a visa number was still not available. *See* Ex. 15.

43. On October 1, 2025, Petitioner filed a Motion to Reopen due to the immediate availability of a visa and moved to rescind Petitioner's removal order. The court denied the motion on October 8, 2025. *See* Ex. 16.

44. On October 15, 2025, Petitioner filed a Notice of Appeal of the court's September 15, 2025 decision with the BIA. *See* Ex. 17. On October 21, 2025, Petitioner filed a Notice of

Appeal for the denial of the Motion to Reconsider and the Motion to Reopen. *See* Exs. 18 and 19. All remain pending with the BIA.

PETITIONER'S DETENTION IS UNLAWFUL UNDER THE INA AND VIOLATES DUE PROCESS

A. Detention Framework Under 8 U.S.C. §§ 1225 and 1226

45. The INA provides two relevant methods for detaining noncitizens: 8 U.S.C. §§ 1225 and 1226. *See Jennings v. Rodriguez*, 583 U.S. 281, 288-289 (2018). The Supreme Court in *Jennings v. Rodriguez*, described § 1225 as the detention statute for noncitizens affirmatively "seeking admission" into the United States, and § 1226 as the detention statute for noncitizens who are "already in the country." *Zumba v. Bondi*, 2025 WL 2753496, *9 (D.N.J. Sept. 26, 2025) (citing *Jennings v. Rodriguez*, 583 U.S. 281, 289 (2018).

46. Section 1225 requires mandatory detention of certain noncitizens who are "seeking admission" to this country. 8 U.S.C. § 1225(b)(2)(A) ("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") (emphasis added). The only exception to detention under this section is parole under § 212(d)(5)(A) of the INA for humanitarian reasons or public benefit. 8 USC § 1182(d)(5)(A) (allowing parole "on a case-by-case basis for urgent humanitarian reasons or significant public benefit" to any "alien applying for admission to the United States"). Section 1225 applies to "an alien *seeking to enter the country*[.]" *Jennings*, 583 U.S. at 289 (emphasis added).

47. By contrast, § 1226 provides discretionary authority to the Government to detain noncitizens who are "already in the country[.]" 8 U.S.C. § 1226(a) ("an alien *may* be arrested and detained pending a decision on whether the alien is to be removed") (emphasis added); *Jennings*, 583 U.S. at 289 (§ 1226 "authorizes the Government to detain certain aliens *already in the country*

pending the outcome of removal proceedings") (emphasis added). Detention under §1225 is "essentially mandatory" whereas detention under §1226 is "largely discretionary." *Lopez Benitez v. Francis*, 2025 WL 2371588, at *4 (S.D.N.Y. Aug. 13, 2025).

48. When EOIR promulgated regulations implementing the statute, it stated that, in general, people who entered the country without inspection 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, 10323 (Mar. 6, 1997).

49. Thus, in the decades that followed, most people who entered without inspection and were placed in standard removal proceedings received bond hearings, unless their criminal history rendered them ineligible pursuant to 8 U.S.C. § 1226(c). 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)).

50. On May 15, 2025, the BIA issued a decision in *Matter of Q. Li,* 28 I&N Dec. 66 (BIA 2025), which narrowly held that § 1225(b)(2) applies to "an applicant for admission who is arrested and detained without a warrant while arriving in the United States." Respondents here relied on *Q. Li* to argue that Petitioner was detained under § 1225(b)(2) and therefore not entitled to a bond hearing.

51. On July 8, 2025, ICE, "in coordination with" DOJ, announced a new policy that rejected the well-established understanding of the statutory framework and reversed decades of practice. The new policy, entitled "Interim Guidance Regarding Detention Authority for

Applicants for Admission,"[6] claims that all persons who entered the United States without inspection shall now be 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.

52. On September 5, 2025, the BIA adopted the same position in a published decision, *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). The Board held that all noncitizens who entered the United States without admission or parole are subject to detention under § 1225(b)(2)(A) and are ineligible for IJ bond hearings.

53. Even before ICE or the BIA introduced these nationwide policies, 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. There, 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*, 779 F. Supp. 3d 1239 (W.D. Wash. 2025).

54. Since Respondents adopted their new policies, well over 100 district courts have rejected their new interpretation of the INA's detention authorities, with additional orders granted daily. Courts have likewise rejected *Matter of Yajure Hurtado*, which adopts the same reading of the statute as ICE. *See Hernandez Alvarez v. Morris*, 1:25-cv-24806-KMW (S.D.Fl. Oct. 27, 2025) (citing to over 80 cases rejecting Respondents' interpretation).

55. In the District of New Jersey alone, Respondents' interpretation has been rejected at least six times. *Zumba v. Bondi*, 2025 WL 2753496 (D.N.J. Sept. 26, 2025); *Contreras*

[6] *Available at* https://www.aila.org/library/ice-memo-interim-guidance-regarding-detention-authority-for-applications-for-admission.

Maldonado v. Cabezas, 2025 WL 2985256, *6 (D.N.J. Oct. 23, 2025); *Ayala Amaya v. Bondi*, 25-cv-16428-ESK (D.N.J. Oct. 30, 2025); *Patel v. Almodovar*, 25-15345 (SDW) (D.N.J. Oct. 28, 2025); *Macancela Buestan v. Chu*, 2025 WL 2972252 (D.N.J. Oct. 21, 2025); *Mugliza Castillo v. Lyons*, 2025 WL 2940990 (D. N.J. October 10, 2025).

B. Respondents' Radical Re-Interpretation of § 1225(b)(2) Perverts the INA.

56. The vast majority of courts have rejected DHS's and EOIR's new interpretation because it clearly defies the INA. As one court observed, DHS's decision to "radically alter its interpretation of the immigration statutes . . . would require the mandatory detention of hundreds of thousands, if not millions, of individuals currently residing within the United States . . . ." *Romero v. Hyde*, 2025 WL 2403827 at *1 (D. Mass. Aug. 19, 2025).

57. The District of New Jersey recently rejected the government's interpretation of § 1225(b)(2), finding that the section "plainly contemplates present affirmative conduct by 1) a noncitizen who is 'seeking admission' and 2) an inspecting immigration official who must determine whether that individual is entitled to admission to the United States." *Zumba v. Bondi*, 2025 WL 2753496 at *8 (citing *Martinez*, 2025 WL 2084238, at *2). Thus, even if Petitioner could be deemed "an applicant for admission," under § 1225(a)(1), he does not meet the requirements of § 1225(b)(2) because he was neither "seeking entry" nor inspected by immigration officials when ICE detained him. *Id*. (finding that "issuance of a NTA eight or so years after petitioner's entry into the United States [is not a substitute] for an inspection by an *examining* immigration officer at or near the border).

58. The text of § 1226 also explicitly applies to people charged as being inadmissible, including those who entered without inspection, when those noncitizens are residing within the United States. *See* 8 U.S.C. § 1226(c)(1)(E). Subparagraph (E)**(i)**'s reference to such people makes clear that, by default, such people are afforded a bond hearing under subsection (a), unless

they are *also* charged with specific crimes described in subparagraph (E)(ii). 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*, 779 F. Supp. 3d at 1257 (citing *Shady Grove Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 559 U.S. 393, 400 (2010)); *accord Zumba v. Bondi*, 2025 WL 2753496 at *6; *see also Gomes*, 2025 WL 1869299, at *7. Section 1226 leaves no doubt that it applies to people who face charges of being inadmissible, including those who are present without admission or parole.

59. By contrast, § 1225(b) applies to people who are arriving at ports of entry or who recently entered the United States. *Matter of M-D-C-V-*, 28 I. & N. Dec. 18, 23 (B.I.A. 2020) ("The use of the present progressive tense 'arriving,' rather than the past tense 'arrived,' implies some temporal or geographic limit."). The statute's entire framework is premised on inspections at the border of people who are "seeking admission" to the United States. *See Zumba v. Bondi*, 2025 WL 2753496 at *8 (*citing Lopez-Campos*, 2025 WL 2496379, at *6). 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).

60. Accordingly, the mandatory detention provision of § 1225(b)(2)(A) does not apply to people like Petitioner, who have already entered and were residing in the United States at the time they were apprehended. Petitioner was not seeking to be admitted when ICE agents arrested him. He had already been living inside the United States for 9 years and had approved SIJS status with deferred action. *See Osorio-Martinez*, 893 F.3d at 170 ("SIJ status also reflects the determination of Congress to accord those abused, neglected, and abandoned children a legal relationship with the United States and to ensure they are not stripped of the opportunity to retain

and deepen that relationship without due process.") He has established roots in New Jersey, including a United States citizen child and another on the way. "A noncitizen like [p]etitioner, who has already entered and is present in the country, simply cannot be characterized as 'seeking entry' consistent with the ordinary meaning of that phrase." *Vazquez v. Feeley*, 2025 WL 2676082, at *13 (D. Nev. Sept. 17, 2025); *see also Zumba v. Bondi*, 2025 WL 2753496, at *8 (finding that "even if petitioner could be deemed 'an applicant for admission,' under § 1225(a)(1)," he "d[id] not meet the requirements of § 1225(b)(2)" because he was not "'seeking entry' nor inspected by immigration officials" when he was arrested by ICE after having been "unquestionably present in the interior … for years.").

61. If Petitioner were subject to detention under § 1225, then DHS would have been obliged to detain him or parole him when he presented himself to immigration authorities in 2016. By failing to do so, DHS has already admitted that Petitioner is not subject to § 1225(b)(2). Upon entry, Petitioner was processed as an unaccompanied child under the TVPRA and placed in the care of ORR before being released to his mother. 8 U.S.C. § 1232(b)(1); 6 U.S.C. § 279(b)(1). The TVPRA mandates placement in the least restrictive setting, including when the child turns 18, thus removing them from the purview of § 1225(b). 8 U.S.C. § 1232(c)(2). DHS also issued a Warrant of Arrest and Notice of Custody Determination, both, stating that Petitioner's arrest was pursuant to Section 1226. *See* Exs. 2 and 3.

62. Courts, including the District of New Jersey, "have given great weight to the manner in which DHS treated the petitioner in determining which detention statute applies." *Zumba v. Bondi*, 2025 WL 2753496 at *9 (citing *Lopez Benitez*, 2025 WL 2371588, at *3 (holding that § 1225 did not apply because (1) DHS had consistently treated petitioner as subject to

discretionary detention under § 1226(a) and (2) the "plain text, overall structure, and uniform case law interpreting" the statutory provision compels the conclusion)).

C. Section 1226 Requires DHS to Conduct an Individualized Pre-Detention Assessment.

63. "[B]efore the Government may exercise discretion to detain a person, § 1226(a) and its implementing regulations require ICE officials to make an individualized custody determination." *Lopez Benitez*, at *10 (citing *Velesaca v. Decker*, 458 F. Supp. 3d 224, 241 (S.D.N.Y. 2020)). This determination is based on two factors: whether the noncitizen is likely to attend future immigration proceedings; and whether the noncitizen is a "danger to property or persons." *Lopez Benitez*, at *10 (DHS officer acting under Section 1226 "must make an individualized determination" about detention "based on two factors—whether the noncitizen is a 'danger to property or persons' and is 'likely to appear for any future proceeding." (citing 8 C.F.R. § 1236.1(c)(8); 8 C.F.R. 236.1(c)(8)). If DHS determines that detention is warranted, the noncitizen may challenge that individualized determination before an immigration judge, who must consider the same factors. *Lopez Benitez*, at *10 (citing C.F.R. §§ 1003.19(d), (e) (providing for review of custody and bond determinations by an immigration judge)).

64. This individualized pre-detention determination is an intrinsic part of the discretionary structure of Section 1226. If all noncitizens could be detained under Section 1226 "on a categorical (or arbitrary) basis without any kind of individualized assessment, it would make little sense to permit such individuals an opportunity to challenge their detention by an appeal before an immigration judge on the basis of specific factors such as dangerousness or flight risk." *Lopez Benitez*, at *10.

65. Here, there was no individualized determination because DHS considered Petitioner's detention as mandatory under § 1225(b)(2). The immigration court agreed and as a

result found it had no jurisdiction to consider bond. Although the court found in the alternative that Petitioner was a flight risk—despite significant evidence to the contrary—this did not cure Petitioner's initial deprivation of an individualized pre-detention assessment, nor was he afforded a meaningful opportunity to obtain bond. In a recently decided case in the District of New Jersey, the court ordered the release of a petitioner similarly deprived of a pre-detention assessment, finding that the bond hearing did not cure the deprivation. *Contreras Maldonado v. Cabezas*, 2025 WL 2985256, *6 (Oct. 23, 2025 D.N.J.) ("There is no doubt that Petitioner was not afforded an individualized assessment before she was detained; as such, the BIA cannot provide relief through Petitioner's appeal of the IJ's ….decision on bond.").

D. Petitioner's Detention Violates the Fifth Amendment's Due Process Clause

66. The Fifth Amendment's Due Process Clause prohibits the Government from depriving any person of "life, liberty, or property, without due process of law." U.S. Const. amend. V. "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty [the Due Process Clause] protects." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

67. The Due Process Clause protects all persons within the United States, regardless of citizenship status. *Zadvydas*, 533 U.S. at 693. Noncitizens have a liberty interest in continued freedom from civil immigration confinement. *Contreras Maldonado v. Cabezas*, No. 25-13004, ECF No. 37, at 9 (D.N.J. Oct. 23, 2025) (the court "does not question DHS's discretion in detaining non-citizens pursuant to lawful processes" but "here, Petitioner was entitled to more due process than she received when initially detained"); *see also Lopez v. Sessions*, 2018 WL 2932726, at *12 (S.D.N.Y. June 12, 2018) ("Petitioner's re-detention, without prior notice, a showing of changed circumstances, or a meaningful opportunity to respond, does not satisfy the procedural requirements of the Fifth Amendment."). SIJS beneficiaries have a heightened due process

interest, and as a recipient of deferred action, Petitioner should not be removed or detained while waiting for an available visa. *See Osorio-Martinez*, 893 F.3d at 170 ("SIJ status also reflects the determination of Congress to accord those abused, neglected, and abandoned children a legal relationship with the United States and to ensure they are not stripped of the opportunity to retain and deepen that relationship without due process.")

68. The Government may detain noncitizens who are charged with removability under the INA but the Due Process Clause imposes constitutional guard rails on the exercise of that power. *See Velasco Lopez v. Decker*, 978 F.3d 842, 848 (2d Cir. 2020) ("Detention during removal proceedings is a constitutionally valid aspect of the deportation process . . . our concern is . . . with the 'important constitutional limitations' on that power's exercise."); *Valdez v. Joyce*, No. 25 CIV. 4627 (GBD), 2025 WL 1707737, at *3 (S.D.N.Y. June 18, 2025) ("The Government's discretionary authority to detain individuals for immigration purposes does ***not*** free it from the constraints of the Constitution.") (emphasis added).

69. The Third Circuit has held that the *Mathews v. Eldridge* balancing test applies when determining the adequacy of the process afforded to noncitizens in the context of civil immigration confinement. *B.C. v. Att'y Gen. United States*, 12 F.4th 306, 314-15 (3d Cir. 2021) (citing *Mathews v. Eldridge,* 424 U.S. 319 (1976)). In analyzing due process claims, the court looks to: (1) the interest at stake for the individual noncitizen; (2) the risk of an erroneous deprivation of that private interest by the procedures or process used; (3) the Government's interest, including the fiscal and administrative burden that additional or substitute procedures would require. *Id.* (citing *Mathews*, 424 U.S. at 335).

70. As to the first prong, Petitioner invokes "the most significant liberty interest there is—the interest in being free from imprisonment." *Contreras Maldonado*, 2025 WL 2985256 at

*9 (citing *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004)). DHS detained Petitioner without articulating any individualized basis for his detention. The first prong of the *Mathews* test is not only easily satisfied here; it is satisfied by what Supreme Court has called "the most significant liberty interest there is[.]" *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004).

71. As to the second prong, the risk of an erroneous deprivation of Petitioner's liberty interest is high. *See Zumba*, 2025 WL 2753496, at *10 ("Here, the first and second Mathews factors weigh heavily in petitioner's favor, as he has been deprived of her liberty, erroneously subjected to mandatory detention under 1225 during his removal proceedings, and denied due process protections, including the right to seek bond."); *see also Lopez*, 2018 WL 2932726 at *11 (risk of erroneous deprivation of liberty of a noncitizen re-detained without any change in circumstances or any individualized determination is high). DHS cannot articulate material changes in circumstances between now and when Petitioner was initially released that would warrant his detention. Petitioner is no more of a flight risk now than he was before. On the contrary, Petitioner now has deep ties to the community. He has a child and works to support his family. The risk that Petitioner has been wrongfully deprived of a valid right is not just high but a near-certainty. To the extent the Government might argue there has been a change in executive officers and Government policies, this does not constitute any change in circumstances sufficient to merit re-detention. *Valdez*, at *3 n. 6 ("The law requires a change in relevant facts, not just a change in attitude.").

72. Moreover, DHS's own records indicate that Petitioner is currently a deferred action recipient—a policy designed to protect vulnerable youth from removal while they wait for an available visa. DHS's individualized determination in 2023 that Petitioner "warrants a favorable exercise of discretion" stands in stark contrast to DHS's recent arrest and detention of

Petitioner. USCIS, a component agency of DHS, still recognizes Petitioner's deferred action status, which does not expire until February 16, 2027. If DHS properly made an individualized determination, it would have recognized that Petitioner was a deferred action recipient. Any effort by DHS to retroactively make any such individualized determination in subsequent proceedings is irrelevant. *Contreras Maldonado*, 2025 WL 2985256 at *10 ("Respondents' post-hoc reasoning at the [] bond hearing does not rectify the lack of individualized determination at the time of arrest.").

73. The third prong, the Government's interest, is stated clearly by Supreme Court precedent and the implementing regulations. When the Government detains noncitizens pending removal proceedings, it has a legitimate interest in "ensuring the appearance of aliens at future immigration proceedings" and in "preventing danger to the community." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001); *see also Velasco v. Lopez*, 978 F.3d at 854 (the Government's interests in detaining noncitizens under Section 1226 are "(1) ensuring that noncitizen[s] do not abscond and (2) ensuring they do not commit crimes"); *Chipantiza-Sisalema v. Francis*, 2025 WL 1927931, at *3 (S.D.N.Y. July 13, 2025) (the Government must evaluate "dangerousness or flight risk" before detaining a noncitizen present in the United States pending removal proceedings). Petitioner is neither a flight risk nor dangerous. He is making every effort to remain in Elizabeth, where he lives with his family and works to support them. He has voluntarily attended all proceedings related to his immigration case. *See* Ex. 8.

74. Given the significant liberty interest at stake, the high risk of erroneous deprivation (which has occurred and is ongoing), and the easy satisfaction of DHS's lawful interests in protecting the community and preventing flight risk, Petitioner was undoubtedly entitled to more process than he received. It was a violation of Petitioner's Due Process rights

under the Fifth Amendment for DHS to detain him as it did. *See Valdez*, at *4 ("Respondents' ongoing detention of Petitioner with no process at all, much less prior notice, no showing of changed circumstances, or an opportunity to respond, violates his due process rights.").

75. A writ of habeas corpus should therefore issue to release him from his unlawful imprisonment. *Zumba v. Bondi*, 2025 WL 2753496 , *11 (D.N.J. Sept. 26, 2025) (granting habeas relief to noncitizen and ordering release from detention within 24 hours); *Contreras Maldonado*, 2025 WL 2985256, at *7 (D.N.J. Oct. 23, 2025) (ordering release within 24 hours to petitioner unlawfully detained under the INA without any individualized custody determination despite a subsequent bond hearing); *Valdez*, 2025 WL 1707737, at *5 (S.D.N.Y. June 18, 2025) (same).

Petitioner Should Not Be Required to Exhaust Administrative Remedies.

76. The Third Circuit excuses administrative exhaustion where "administrative remedies would be futile, if the actions of the agency clearly and unambiguously violate statutory or constitutional rights, or if the administrative procedure is clearly shown to be inadequate to prevent irreparable injury." *Lyons v. U.S. Marshals*, 840 F.2d 202, 205 (3d Cir. 1988) (citation omitted); *see also Woodall v. Fed. Bureau of Prisons*, No. 05-1542, 2005 WL 1705777, at *5-6 (D.N.J. July 20, 2005), *aff'd*, 432 F.3d 235 (3d Cir. 2005) (excusing exhaustion in 28 U.S.C. § 2241 action).

77. Here, exhaustion should be excused as futile in light of the recent BIA decision in *Matter of Yajure Hurtado*, holding that noncitizens (like Petitioner) "who are present in the United States without admission are applicants for admission as defined under § 1225(b)(2)(A), and must be detained for the duration of their removal proceedings." *Yajure Hurtado*, 29 I&N Dec. at 220. Requiring Petitioner to exhaust his custody appeal before the same administrative body that recently held that he—and millions of other noncitizens—are ineligible for a bond hearing in the

first place is the definition of futility. *See Mosqueda v. Noem*, 2025 WL 2591530, at *7 (C.D. Cal. Sept. 8, 2025) (BIA appeal futile given decision in *Yajure Hurtado).*

78. Exhaustion should also be excused because Petitioner has raised a "substantial constitutional question" and "[t]he Immigration Court and Board of Immigration Appeals are courts of limited jurisdiction that cannot consider constitutional claims." *See Ashley v. Ridge*, 288 F. Supp. 2d 662, 667 (D.N.J. 2003); *Mudric v. Att'y Gen*., 469 F.3d 94, 98 (3d Cir. 2006) (due process claims generally exempt from exhaustion requirement because BIA does not have jurisdiction).

79. Finally, the applicable administrative procedure—an appeal to the BIA—is inadequate to prevent irreparable injury. Recent data shows that custody appeals to the BIA can take over 200 days. *Rodriguez*, 779 F. Supp. 3d at 1253. During this time, Petitioner's unjustified detention would continue and, as a result, he would suffer irreparable harm. *See McCarthy v. Madigan*, 503 U.S. 140, 147 (1992) (acknowledging "impending irreparable injury flowing from delay"); *Jimenez v.Cronen,* 317 F. Supp. 3d 626, 657 (D. Mass. 2018) ("Any unjustified loss of liberty for even one more day would be a particularly painful form of irreparable harm . . . ."); *See also Lopez Benitez*, at *13 (administrative exhaustion was excused for noncitizen habeas petitioner because a bond hearing is "provided for the purpose of custody *re*-determination," which cannot substitute for the failure to make any *initial*, individualized determination) (emphasis in original).

80. Accordingly, Petitioner should not be required to wait for the BIA to adjudicate his bond appeal before bringing this action.

CAUSES OF ACTION

COUNT I

PETITIONER'S DETENTION VIOLATES THE INA

81. Petitioner repeats and realleges the foregoing allegations as though they were fully set forth herein.

82. Pursuant to 8 U.S.C. § 1226 and federal immigration regulations, Respondents were required to make a pre-detention assessment to determine if he posed a danger to the community or was a flight risk.

83. Respondents did not undertake a pre-detention assessment prior to detaining Petitioner, instead unlawfully subjecting him to mandatory detention under 8 U.S.C. § 1225(b)(2).

84. Petitioner has no adequate remedy at law, as he seeks immediate release and Respondents take the position that he is subject to mandatory detention.

85. For the foregoing reasons, Respondent's detention of Petitioner violates the INA.

COUNT II

VIOLATION OF THE ADMINISTRATIVE PROCEDURE ACT

86. Petitioner repeats and realleges the foregoing allegations as though they were fully set forth herein.

87. The Administrative Procedure Act provides that a court "shall . . . hold unlawful and set aside agency action . . . found to be . . . arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law." 5 U.S.C. § 706(2)(A). When the government has promulgated "[r]egulations with the force and effect of law," those regulations "supplement the bare bones" of federal statutes, such that the agencies are bound to follow their own "existing valid regulations." *United States ex rel. Accardi Shaugnessy*, 347 U.S. 260, 266, 268 (1954). The *Accardi* doctrine also obligates agencies to comply with procedures it outlines in its internal

manuals. *See Morton v. Ruiz*, 415 U.S. 199, 235 (1974) (finding that an agency is obligated to comply with procedural rules outlined in its internal manual).

88. Respondents actions were arbitrary, capricious and an abuse of discretion because Petitioner is a recipient of SIJS with deferred action and he was designated an unaccompanied child by the U.S. government, which governs his care and custody. Respondents have not offered a permissible statutory purpose for Petitioner's detention, and his detention is not rationally related to any immigration purpose. Moreover, Petitioner was not afforded sufficient process prior to his detention.

89. Petitioner has no adequate remedy at law, as he seeks immediate release and Respondents take the position that he is subject to mandatory detention.

90. By detaining Petitioner without any consideration of his individualized facts and circumstances, Respondents have violated the Administrative Procedure Act.

COUNT III

PETITIONER'S DETENTION VIOLATES THE FIFTH AMENDMENT RIGHT TO DUE PROCESS

91. Petitioner repeats and realleges the foregoing allegations as though they were fully set forth herein.

92. 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. The Due Process Clause protects "all 'persons' within the United States, including [non-citizens], whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001).

93. DHS determined that Petitioner was not a danger and not a flight risk when DHS released Petitioner from custody in 2016. Petitioner was not accorded sufficient process prior to

his arrest by ICE in May 2025. Petitioner received no opportunity to be heard as to whether a change in custody status was warranted.

94. Petitioner has no adequate remedy at law, as he seeks immediate release and Respondents take the position that he is subject to mandatory detention.

95. Because Petitioner's detention has been unaccompanied by the procedural protections that such a significant deprivation of liberty requires under the Due Process Clause of the Fifth Amendment to the U.S. Constitution, his continued detention is unlawful.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Exercise 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. Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner immediately;
4. Enjoin Respondents from moving Petitioner outside the jurisdiction of this Court and the United States pending its adjudication of this petition;
5. Enjoin Respondents from moving Petitioner outside the United States pending its adjudication of this petition and full and fair adjudication of his immigration case;
6. Declare that Petitioner's detention violates the INA, the regulations implementing INA, the APA, and the Due Process Clause of the Fifth Amendment;
7. Award Petitioner's costs and reasonable attorneys' fees; and

8. Order such other relief as this Court may deem just and proper.

Dated: November 5, 2025

Respectfully submitted,

By: _____

Hope Skibitsky
Philip Lockwood-Bean*
QUINN EMANUEL URQUHART
& SULLIVAN, LLP
295 Fifth Avenue
New York, New York 10016
(212) 849-7000
hopeskibitsky@quinnemanuel.com
philiplockwood@quinnemanuel.com

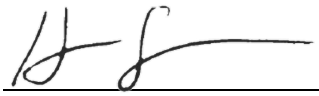
* pro hac vice forthcoming

Pro bono counsel for
Petitioner-Plaintiff Jose Bryan Cruz Coreas

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner, Jose Bryan Cruz Coreas, and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of my knowledge.

Dated this 5th day of November, 2025.



Hope Skibitsky
Philip Lockwood-Bean*
QUINN EMANUEL URQUHART
& SULLIVAN, LLP
295 Fifth Avenue
New York, New York 10016
(212) 849-7000
hopeskibitsky@quinnemanuel.com
philiplockwood@quinnemanuel.com

* pro hac vice forthcoming