

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND**

ALAN ORTIZ ALVARADO,	)	
	)	Case No. 1:25-cv-00590-MSM
Petitioner,	)	
	)	
v.	)	
	)	
PATRICIA HYDE, Director, Boston Field Office,	)	
U.S. Immigration and Enforcement, MICHAEL	)	
KROL, Special Agent in Charge Homeland	)	
Security Investigations, TODD LYONS, Acting	)	
Director U.S. Immigrations and Customs	)	
Enforcement, KRISTI NOEM, U.S. Secretary of	)	
Homeland Security, PAMELA BONDI, United	)	
States Attorney General, and MICHAEL	)	
NESSINGER, Warden of the Donald W. Wyatt	)	
Detention Center,	)	
	)	
Respondents.	)	
	)	

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**REPLY TO GOVERNMENT OPPOSITION TO PETITIONER'S PETITION FOR  
WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241**

The Petitioner is currently being detained solely pursuant to 8 U.S.C. § 1225 as indicated in the November 20, 2025, order from the Immigration Judge denying his bond. Exhibit 1. The Defendants were fully aware of the November 14, 2025, decision issued by the Board of Immigration Appeals partially remanding his case and only argued he was ineligible or bond pursuant to 8 U.S.C. § 1225, a position that the Immigration Judge agreed with.

On November 25, 2024, the United States District Court, Central District of California, granted a class action certification and partial summary judgment on behalf of the class rejecting *Matter of Yajure Hurtado* and the predecessor ICE policy applying 8 U.S.C. § 1225(b)(2)(A) without a bond to all persons who entered without admission or inspection. Thus, all class members

have been declared detained pursuant to 8 U.S.C. § 1226. *Lazaro Maldonado Bautista et al v. Ernesto Santacruz Jr et al*, 5:25-cv-01873 (Cent. Dist. of Cal. filed July 23, 2025). Exhibits 2 and 3.

Thus, the Petitioner's Petition should be granted, and Respondents should be ordered to release Petitioner immediately pursuant to his statutory eligibility for release or, in the alternative, to order a new bond re-determination hearing.

Dated: November 26, 2025

Respectfully submitted,

/s/ Hans J. Bremer  
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*Counsel for Petitioner*

#### **CERTIFICATE OF SERVICE**

I hereby certify that on November 26, 2025, I electronically filed the within Reply and it is available for viewing and downloading from the Court's CM/ECF System, and that the participants in the case that are registered CM/ECF users will be served electronically by the CM/ECF system.

/s/ Hans J. Bremer