

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

R.A.B.,

Plaintiff,

v.

KRISTI NOEM, in her official capacity as Secretary of Homeland Security; the U.S. DEPARTMENT OF HOMELAND SECURITY; PAMELA BONDI, in her official capacity as Attorney General of the United States; the U.S. DEPARTMENT OF JUSTICE; DAREN MARGOLIN, in his official capacity of Director of the Executive Office for Immigration Review; the EXECUTIVE OFFICE FOR IMMIGRATION REVIEW; TODD LYONS, in his official capacity as Acting Director of U.S. Immigration and Customs Enforcement; U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT; BRIAN MCSHANE, in his official capacity as Field Office Director, Philadelphia Field Office, Enforcement and Removal Operations, U.S. Immigration and Customs Enforcement; DAVID O'NEILL, in his official capacity as Deputy Field Office Director, Philadelphia Field Office, Enforcement and Removal Operations, U.S. Immigration and Customs Enforcement; J.L. JAMISON, in his official capacity as Warden of the Federal Detention Center, Philadelphia;

Defendants.

Case No: 2:25-cv-6310

**AMENDED PETITION FOR WRIT OF HABEAS CORPUS
AND COMPLAINT FOR DECLARATIVE AND INJUNCTIVE RELIEF**

INTRODUCTION AND STATEMENT OF FACTS

1. Plaintiff R.A.B.¹ is a 48 year-old citizen and national of Venezuela, who came to the United States seeking asylum more than three years ago. Fearing for his safety in Venezuela, he moved to Colombia, where he lived for the next five years. In 2022, he embarked on a six-week journey to the United States, mostly on foot across six countries in Central America before arriving at the U.S.-Mexican border, near El Paso, Texas, on the morning of October 11, 2022.

2. Standing in Juarez, Mexico, Plaintiff saw several U.S. immigration officers and a large number (one hundred or more) of civilians who were detained by those officers. He walked up to one of the immigration officers and asked to be arrested so that he could seek asylum protection in the United States.

3. Plaintiff was arrested and detained by U.S. immigration officers for approximately 24 hours. During that time, he was allowed to make arrangements with his step-sister, living in Pennsylvania, for airfare from El Paso to Philadelphia, and enough money to pay for one night in a motel.

4. On the morning of October 12, 2022, the U.S. Department of Homeland Security (DHS) released Plaintiff pursuant to a grant of humanitarian parole under Section 212(d)(5) of the Immigration and Nationality Act (INA), 8 U.S.C. § 1182(d)(5).

5. At the time of his release, Plaintiff was given U.S. Immigration and Customs Enforcement (ICE) Form G-56, instructing him to “report [to his] local ICE office within 60 days

¹ Plaintiff will separately file a motion for permission to proceed pseudonymously.

of release.” His Form G-56 also states that Plaintiff would be considered “for enrollment in ADT.”² Plaintiff was also provided with a list of local ICE Field Offices.

6. On October 29, 2022, Plaintiff reported to ICE’s Philadelphia Field Office, located at 114 North 8th Street, Philadelphia, PA 19107. His parole was extended and he was instructed to return again in one year, on October 29, 2023.

7. On January 11, 2023, Plaintiff filed Form I-589, Application for Asylum and for Withholding of Removal with U.S. Citizenship and Immigration Services (USCIS). In his application, he stated that he had previously “suffered psychological damage, physical abuse, death threats and persecution” in Venezuela by [REDACTED]

He also stated that he fears the same harm and mistreatment if he were to return to Venezuela.

8. On June 14, 2023, after his asylum application had been pending for just over 150 days,³ Plaintiff filed Form I-765, Application for Employment Authorization with USCIS. His

² According to ICE’s website:

“ICE’s Alternatives to Detention (ATD) program exists to ensure compliance with release conditions and provides important case management services for non-detained aliens. ATD consists of the Intensive Supervision Appearance Program (ISAP). The ATD-ISAP program utilizes case management and technology tools to support aliens’ compliance with release conditions while on ICE’s non-detained docket. ATD-ISAP also increases court appearance rates.

ATD-ISAP enables aliens to remain in their communities — contributing to their families and community organizations and, as appropriate, concluding their affairs in the U.S. — as they move through immigration proceedings or prepare for departure.

See <https://www.ice.gov/features/atd> (retrieved Nov. 5, 2025).

³ According to USCIS, an asylum applicant may apply for employment authorization after his or her asylum application has been pending for at least 150 days. See <https://www.uscis.gov/i-765> (Note: the applicable filing category under “When to File” is (c)(8)) (retrieved Nov. 5, 2025).

application was approved and USCIS granted employment authorization to Plaintiff from July 11, 2023 to July 10, 2025.

9. On April 8, 2025, Plaintiff applied to extend his employment authorization. USCIS approved his application on September 9, 2025 and granted employment authorization to him through September 7, 2030.

10. In order to process his applications, USCIS requested that Plaintiff appear for biometrics submissions (fingerprints, photograph, and signature) at the USCIS Application Support Center at 10300 Drummond Road, Suite 100, Philadelphia, PA 19154. Plaintiff complied.

11. Plaintiff secured employment in 2023 and filed tax returns for both 2023 and 2024.

12. Plaintiff continued to check-in with ICE annually as instructed. He appeared in-person at the ICE Philadelphia Field Office on October 29, 2023, October 29, 2024, and October 29, 2025.

13. When Plaintiff appeared at the Philadelphia Field Office on October 29, 2025, he was detained by agents for DHS and/or ICE. When he asked why he was being detained, an officer told him that he no longer had parole. He was also given a paper stating that his parole had been terminated. No one explained to him why his parole had been terminated.

14. Upon information and belief, the agents for DHS and/or ICE arrested Plaintiff without a warrant.

15. On October 29, 2025, DHS served Plaintiff with a Notice to Appear for removal proceedings in the Elizabeth Immigration Court in Elizabeth, New Jersey. The Immigration Court has scheduled a master calendar hearing for November 10, 2025 at 1:30 p.m.

16. Plaintiff is currently detained in the Federal Detention Center in Philadelphia, Pennsylvania, which is in the Eastern District of Pennsylvania.

JURISDICTION AND VENUE

17. This case arises under the Immigration and Nationality Act (“INA”), 8 U.S.C. § 1101, *et seq.* and its implementing regulations; and the All Writs Act, 28 U.S.C. § 1651.

18. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 *et seq.* (habeas corpus); art. I, § 9, cl. 2 of the U.S. Constitution (Suspension Clause); 28 U.S.C. § 1331 (federal question); and 28 U.S.C. § 1651 (All Writs Act). No exhaustion is required because Plaintiff is not held pursuant to a state court order.

19. The Court may grant relief pursuant to 28 U.S.C. § 2241; the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*; 28 U.S.C. § 1331; the All Writs Act, 28 U.S.C. § 1651; and the Court’s equitable powers.

20. Venue is proper in this District under 28 U.S.C. § 1391(b) because a substantial part of the events or omissions giving rise to the claim occurred in this district and because Plaintiff’s immediate custodian resides in this district.

PARTIES

21. Plaintiff is a citizen and national of Venezuela who is present in the United States pursuant to a grant of humanitarian parole and who has a pending application for asylum.

22. Defendant Kristi Noem is sued in her official capacity as the Secretary of Homeland Security and has ultimate authority over DHS. In that capacity and through her agents, Defendant Noem has broad authority over the operation and enforcement of the immigration laws.

23. Defendant U.S. Department of Homeland Security (“DHS”) is a cabinet-level department of the Executive Branch of the federal government and is an “agency” within the meaning of 5 U.S.C. § 551(1). DHS includes various component agencies, including U.S. Immigration Customs and Enforcement (“ICE”).

24. Defendant Pamela Bondi is sued in her official capacity as Attorney General of the United States and has ultimate authority the United States Department of Justice. In that capacity and through her agents, Defendant Bondi has broad authority over federal law enforcement and the operation of immigration courts.

25. Defendant U.S. Department of Justice (“DOJ”) is the federal executive department of the U.S. government that oversees the domestic enforcement of federal laws and the administration of justice, including the operation of immigration courts through the Executive Office for Immigration Review.

26. Defendant Daren Margolin is sued in his official capacity as Director of the Executive Office for Immigration Review.

27. Defendant Executive Office for Immigration Review (“EOIR”) is the federal agency that reports to the United States Department of Justice. The chief function of EOIR is to conduct removal proceedings in immigration courts and adjudicate appeals arising from the proceedings.

28. Defendant Todd Lyons is sued in his official capacity as the Acting Director of ICE and has authority over the operations of ICE. In that capacity and through his agents, Defendant Lyons has broad authority over the operation and enforcement of the immigration laws.

29. Defendant U.S. Immigration Customs and Enforcement (“ICE”) is a federal law enforcement agency within the U.S. Department of Homeland Security (“DHS”), which carries out immigration enforcement operations under the authority of DHS. Defendant ICE operates a field office at 114 North 8th Street, Philadelphia, PA 19107.

30. Defendant Brian McShane is sued in his official capacity as Field Office Director, Philadelphia Field Office, Enforcement and Removal Operations, U.S. Immigration and Customs Enforcement. Defendant McShane is a legal custodian of Plaintiff.

31. Defendant David O’Neill is sued in his official capacity as Deputy Field Office Director, Philadelphia Field Office, Enforcement and Removal Operations, U.S. Immigration and Customs Enforcement. Upon information and belief, Defendant O’Neill currently serves as the Acting Field Office Director of the Philadelphia Field Office while Defendant McShane is engaged in interim duties at another ICE Field Office. Defendant O’Neill is a legal custodian of Plaintiff.

32. Defendant J.L. Jamison is sued in his official capacity as Warden of the Federal Detention Center, Philadelphia. Defendant Jamison is the immediate custodian of Plaintiff.

33. In this Complaint, Defendants Noem, DHS, Lyons, ICE, McShane, and O’Neill are collectively referred to as “the DHS and ICE Defendants” and Defendants Bondi, DOJ, Margolin, and EOIR are referred to as “the DOJ Defendants.”

STATUTORY AND REGULATORY FRAMEWORK

A. Humanitarian Parole

34. When an individual who is not a citizen or national of the United States appears at the border, an immigration officer decides whether the individual should be admitted to the United States. The Immigration and National Act (INA) governs the admission of individuals as immigrants, 8 U.S.C. § 1181, as nonimmigrants, 8 U.S.C. § 1184, or as refugees, 8 U.S.C. § 1157.

35. The immigration officer also has the authority to “parole” the individual and allow him or her to physically enter the United States without a formal admission. This is how Plaintiff entered the United States in October 2022. Plaintiff’s parole was pursuant to 8 U.S.C. § 1182 (d)(5)(A), which permits DHS to “parole into the United States temporarily under such conditions as he may prescribe only on a case-by-case basis for urgent humanitarian reasons or significant public benefit any alien applying for admission to the United States....”

36. DHS regulations govern both the conditions and termination of parole. The immigration officer has the discretion to “require reasonable assurances that the alien will appear at all hearings and/or depart the United States when required to do so.” 8 C.F.R. § 212.5(d). The immigration officer may require that the noncitizen post a bond, demonstrate “[c]ommunity ties such as close relatives with known addresses[,]” or agree to reasonable conditions, such as periodic reporting. *Id.*

37. Before a grant of humanitarian parole pursuant to 8 U.S.C. § 1182(d)(5)(A) may be terminated, even if it is “at the expiration of the time for which parole was authorized,” there must be an individualized determination that “neither humanitarian reasons nor public benefit warrants the continued presence of the [noncitizen] in the United States.” 8 C.F.R. § 212.5(e).

38. The DHS and ICE Defendants did not conduct an individualized review of the humanitarian reasons and public benefit that warrant Plaintiff’s continued presence in the United States before revoking his humanitarian parole. Therefore, the revocation of Plaintiff’s parole was unlawful.

B. Section 240 Removal Proceedings

39. As a result of the unlawful termination of his parole, Plaintiff now faces removal proceedings pursuant to 8 U.S.C. § 1229a.

40. Removal proceedings under 8 U.S.C. § 1229a are initiated by filing a Notice to Appear with the Immigration Court. *See, e.g., Matter of E-R-M- & L-R-M-*, 25 I.&N. Dec. 520, 520 (BIA 2011). Section § 1226 provides that while removal proceedings are pending, a noncitizen “may be arrested and detained” and that the government “may release the alien on ... conditional parole.” 8 U.S.C. § 1226(a)(2). *See also Dep’t of Homeland Sec. v. Thuraissigiam*, 591 U.S. 103, 108 (2020). (during removal proceedings, applicant may either be “detained” or “allowed to reside in this

country”). When a person is apprehended under Section 1226(a), an ICE officer makes the initial custody determination. *See* 8 C.F.R. § 236.1(c)(8). A noncitizen will be released if he or she “demonstrate[s] to the satisfaction of the officer that such release would not pose a danger to property or persons, and that the alien is likely to appear for any future proceeding.” *Id.*

41. “Federal regulations provide that aliens detained under § 1226(a) receive bond hearings at the outset of detention.” *Jennings v. Rodriguez*, 583 U.S. 281, 306 (2018) (citing 8 C.F.R. §§ 236.1(d)(1)). If, at this hearing, the detainee demonstrates by the preponderance of the evidence that he or she is not “a threat to national security, a danger to the community at large, likely to abscond, or otherwise a poor bail risk,” the Immigration Judge will order his or her release. *See, e.g., Matter of Guerra*, 24 I.&N. Dec. 37, 40 (B.I.A. 2006)).

C. Expedited Removal and Mandatory Detention Under Section 235

42. U.S. immigration law also “authorizes the Government to detain certain aliens seeking admission into the country under [8 U.S.C.] §§ 1225(b)(1) and (b)(2),” a process that provides for expedited removal. *Jennings*, 583 U.S. at 303 (2018). Section 1225(b)(1) provides:

If an immigration officer determines that an alien (other than an alien described in subparagraph (F)) who is arriving in the United States or is described in clause (iii) is inadmissible under section 212(a)(6)(C) or 212(a)(7) [8 U.S.C. § 1182(a)(6)(C) or 1182(a)(7)], the officer shall order the alien removed from the United States without further hearing or review unless the alien indicates either an intention to apply for asylum under section 208 [8 USC § 1158] or a fear of persecution.

8 U.S.C. § 1225(b)(1).

43. If the noncitizen indicates an intention to apply for asylum or a fear of persecution, an asylum officer interviews the noncitizen and, if the officer determines that the noncitizen has a credible fear of persecution, the noncitizen is given an opportunity to apply for asylum. 8 U.S.C. § 1225(b)(1)(B). Otherwise, the officer orders expedited removal. 8 U.S.C. § 1225(b)(1)(B)(iii)(I).

44. Clause (iii) allows the Attorney General to designate for expedited removal a noncitizen “who has not been admitted or paroled into the United States, and who has not affirmatively shown, to the satisfaction of an immigration officer, that the alien has been physically present in the United States continuously for the 2-year period immediately prior to the date of the determination of inadmissibility under this subparagraph.” 8 U.S.C. § 1225(b)(1)(A)(iii)(II).

45. Any noncitizen who is subject to the expedited removal procedures described in Section 1225 (b)(1) is subject to mandatory detention. 8 U.S.C. § 1225(b)(1)(B)(iii)(IV).

46. Section 1225(b)(2), titled “Inspection of other aliens,” provides that a noncitizen who is deemed to be an “applicant for admission” and who “the examining immigration officer determines... [is] seeking admission [and] is not clearly and beyond a doubt entitled to be admitted, ...shall be detained for a proceeding under section 1229a of this title.”

47. Until this year, DHS has not applied the mandatory detention provision of Section 1225(b)(2) to undocumented individuals who were not arrested and detained at or near the border. The regulations implementing the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (“IIRIRA”) state that “Despite being applicants for admission, aliens who are present without having been admitted or paroled (formerly referred to as aliens who entered without inspection) will be eligible for bond and bond redetermination.” 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997). This remained how the DHS and ICE Defendants and their predecessors had applied Section 1225(b)(2) for nearly 28 years.

D. Expanded Application of Expedited Removal

48. In January 2025, DHS announced that it would “apply expedited removal to the fullest extent authorized by statute.” *Designating Aliens for Expedited Removal*, 90 Fed. Reg. 8139 (Jan.

24, 2025). Under this new policy, expedited removal would apply to all undocumented persons who have been in the United States for less than two years.

49. On July 8, 2025, Defendant Lyons announced that all noncitizens who are present in the United States without having been admitted are subject to mandatory detention under Section 1225(b)(2). His announcement is described in an opinion from another District Court:

On July 8, 2025, DHS instituted a notice titled “Interim Guidance Regarding Detention Authority for Applicants for Admission” to all ICE Employees. The Notice indicated that DHS, in coordination with the DOJ, “revisited its legal position” on the INA and determined that § 1225(b)(2), rather than § 1226, is the applicable immigration authority for any alien present in the U.S. “who has not been admitted . . . whether or not at a designated port of arrival.” Accordingly, “it is the position of DHS that such aliens are subject to [mandatory] detention under INA § 235(b) and may not be released from ICE custody except by INA § 212(d)(5) parole.” The Notice further provides “[t]hese aliens are also ineligible for a custody redetermination hearing (bond hearing) before an immigration judge and may not be released for the duration of their removal proceedings absent a parole by DHS. For custody purposes, these aliens are now treated in the same manner that ‘arriving aliens’ have historically been treated.”

Vazquez v. Feeley, No. 25-01542, at *5 (D. Nev. Sept. 17, 2025). According to this new interpretation of INA § 1225(b)(2), all undocumented persons, regardless of how long they have lived in the United States, would be subject to mandatory detention if apprehended and placed in removal proceedings.

50. The Board of Immigration Appeals (BIA) upheld DHS’s interpretation of 8 U.S.C. § 1225(b)(2) in *Matter of Yajure Hurtado*, 29 I & N Dec. 216 (BIA Sep. 5, 2025).

51. Several Federal District Courts have rejected this interpretation of Section 1225(b)(2), as recently noted by the U.S. District Court for the District of New Jersey:

The Court joins other federal district courts, including in this district, that have recently interpreted “the plain text of Sections 1225 and 1226, together with the structure of the larger statutory scheme, [to]

indicate[] that Section 1225(b)(2) does not apply to noncitizens who are arrested on a warrant issued by the Attorney General while residing in the United States.” *Lopez Benitez v. Francis*, No. 25-5937, 2025 WL 2371588, at *5 (S.D.N.Y. Aug. 13, 2025) (citing *Gomes [v. Hyde]*, [No. 25-11571,] 2025 WL 1869299, at *7 [(D. Mass. July 7, 2005)]; *Martinez v. Hyde*, No. 25-11613, 2025 WL 2084238, at *2 (D. Mass. July 24, 2025)); *see also, e.g., Zumba [v. Bondi]*, No. 25-14626, 2025 WL 2753496, at *8 [(D.N.J. Sept. 26, 2025)]; *Singh v. Lyons et al.*, No. 25-01606, 2025 WL 2932635, at *2 (E.D. Va. Oct. 14, 2025); *Chavez v. Kaiser, et al.*, No. 2506984, 2025 WL 2909526, at *5 (N.D. Cal. Oct. 9, 2025) (collecting cases); *Escobar v. Hyde et al.*, 2025 WL 2823324, at *3 (D. Mass. Oct. 3, 2025); *Quispe v. Crawford, et al.*, No. 25-1471, 2025 WL 2783799, at *4-6 (E.D. Va. Sept. 29, 2025); *J.U. v. Maldonado*, No. 25-04836, 2025 WL 2772765, at *10 (E.D.N.Y. Sept. 29, 2025); *Vazquez v. Feeley*, No. 25-01542, 2025 WL 2676082, at *11-16 (D. Nev. Sept. 17, 2025).

Contreras Maldonado v. Cabezas, No. 25-13004 (D. N.J. Oct 23, 2025).

52. Because the revocation of Plaintiff’s parole was unlawful, the DHS and ICE Defendants had no lawful basis to commence removal proceedings by filing a Notice to Appear with the Immigration Court.

53. Even if Plaintiff were lawfully placed in removal proceedings pursuant to 8 U.S.C. § 1229a, he is entitled to a bond hearing pursuant to 8 U.S.C. § 1226(a) and 8 C.F.R. § 236.1(d).

CAUSES OF ACTION

COUNT 1

Violation of Right to Due Process Guaranteed by the Fifth Amendment to the United States Constitution (Termination of Humanitarian Parole – the DHS and ICE Defendants)

54. Plaintiff incorporates the allegations in the paragraphs above as though fully set forth here.

55. The DHS and ICE Defendants’ termination of Plaintiff’s humanitarian parole was unjustified, unlawful, and occurred without prior notice and an opportunity to be heard.

Accordingly, the DHS and ICE Defendants violated Plaintiff's Constitutional right to Due Process under the Fifth Amendment.

COUNT 2
Violation of Right to Due Process
Guaranteed by the Fifth Amendment to the United States Constitution
(Arrest and Detention – All Defendants)

56. Plaintiff incorporates the allegations in the paragraphs above as though fully set forth here.

57. The DHS and ICE Defendants' arrest of Plaintiff without a warrant, without having made a reasonable individualized determination that the humanitarian reasons and/or public benefit that warranted Plaintiff's grant of humanitarian parole no longer continued, and without affording him notice and a right to be heard violated his right to Due Process guaranteed by the Fifth Amendment to the United States Constitution.

58. Plaintiff's continued detention following his unlawful arrest violates his right to Due Process guaranteed by the Fifth Amendment to the United States Constitution.

COUNT 3
Violation of Right Against Unreasonable Seizure
Guaranteed by the Fourth Amendment to the United States Constitution
(Arrest – the DHS and ICE Defendants)

59. Plaintiff incorporates the allegations in the paragraphs above as though fully set forth here.

60. The DHS and ICE Defendants' arrest of Plaintiff without a warrant and without having made a reasonable individualized determination that the humanitarian reasons and/or public benefit that warranted Plaintiff's grant of humanitarian parole no longer continued was unreasonable and

in violation of his right against unlawful seizures under the Fourth Amendment to the United States Constitution.

COUNT 4

**Violation of Administrative Procedure Act
(Termination of Humanitarian Parole – the DHS and ICE Defendants)**

61. Plaintiff incorporates the allegations in the paragraphs above as though fully set forth here.

62. The DHS and ICE Defendants' termination of Plaintiff's humanitarian parole is a final agency action.

63. The DHS and ICE Defendants' termination of Plaintiff's humanitarian parole violates the Administrative Procedure Act ("APA") and should be set aside pursuant to 5 U.S.C. § 706(2)(A) as arbitrary, capricious, an abuse of discretion, and otherwise not in accordance with the law, including 8 C.F.R. § 212.5(e), which required an individualized review of the humanitarian reasons and public benefit that warrant Plaintiff's continued presence in the United States before revoking his humanitarian parole.

COUNT 5

**Violation of Administrative Procedure Act
(Commencement of Removal Proceedings – the DHS and ICE Defendants
and the DOS Defendants)**

64. Plaintiff incorporates the allegations in the paragraphs above as though fully set forth here.

65. The removal proceedings against Plaintiff commenced by the DHS and ICE Defendants and administered by the DOJ Defendants violates the APA and should be set aside pursuant to 5 U.S.C. § 706(2)(A) as arbitrary, capricious, an abuse of discretion, and otherwise not

in accordance with the law, because it was based on the DHS and ICE Defendants' unlawful termination of Plaintiff's humanitarian parole.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court:

- 1) Assume jurisdiction over this matter;
- 2) Issue a Writ of Habeas Corpus ordering Defendants to immediately release Plaintiff from custody;
- 3) Declare that Plaintiff's arrest and detention violates the Due Process Clause of the Fifth Amendment, the Administrative Procedure Act, and the Immigration and Nationality Act;
- 4) Vacate and set aside the DHS and ICE Defendants' termination of Plaintiff's humanitarian parole;
- 5) Order that Plaintiff's Humanitarian Parole be reinstated;
- 6) Permanently enjoin the DHS and ICE Defendants from terminating Plaintiff's humanitarian parole without first conducting an individualized review of the humanitarian reasons and public benefit that warrant Plaintiff's continued presence in the United States;
- 7) Vacate the Notice to Appear filed on October 29, 2025 (File No. 246139090) and Order the DOJ Defendants to terminate removal proceedings against;
- 8) Award Plaintiff reasonable attorneys' fees and costs for this action under the Equal Access to Justice Act, 28 U.S.C. § 2414; and

9) Grant Plaintiff any other relief this Court deems just and proper.

Respectfully Submitted,

Dated: November 7, 2025

/s/ David S. Santee

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VERIFICATION

I, David S. Santee, Esquire, counsel for the Plaintiff, hereby verify that the facts set forth in the foregoing AMENDED PETITION FOR WRIT OF HABEAS CORPUS AND COMPLAINT FOR DECLARATIVE AND INJUNCTIVE RELIEF are based on information provided by Plaintiff or in records obtained in my investigation of his case. All factual averments are true and correct to the best of my knowledge, information and belief.

Dated: November 7, 2025

/s/ David S. Santee

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