

UNITED STATES DISTRICT COURT
DISTRICT OF KANSAS

Heriberto Salgado Flores (A ))
)
 Petitioner,)
)
 v.)
)
 Kristi NOEM, Secretary of Homeland Security;)
 Samuel OLSON, Interim Chicago Field Office)
 Director, U.S. Immigration and Customs)
 Enforcement;)
 U.S. DEPARTMENT OF HOMELAND)
 SECURITY;)
 Pamela BONDI, U.S. Attorney General;)
 EXECUTIVE OFFICE FOR IMMIGRATION)
 REVIEW; and)
 Jacob WELSH, Sheriff and Warden, Chase County,)
 Kansas Detention Center,)
)
 Respondents.)

Civil Action No. 25-3244-JWL

**VERIFIED PETITION FOR
WRIT OF HABEAS CORPUS**

INTRODUCTION

1. Petitioner Heriberto Salgado Flores (Mr. Salgado) has a U.S. citizen wife and a 2-month-old U.S. citizen son. He is in the custody of U.S. Immigration and Customs Enforcement (ICE) at the Chase County Detention Center in Cottonwood Falls, Kansas. His detention without an opportunity for an individualized bond hearing is unlawful because Respondent Department of Homeland Security (DHS) and Respondent Executive Office of Immigration Review (EOIR) are wrongly subjecting Mr. Salgado to mandatory detention under 8 U.S.C. § 1225(b) and, therefore, an immigration judge (IJ) cannot assess the merits of his request for release on bond.

2. Mr. Salgado is a 35-year-old native of Mexico who has resided in the United States since the age of one and a half. In or around early 1992, he entered without inspection. Mr. Salgado received Deferred Action for Childhood Arrivals (DACA) in 2012, which he maintained until

2022. He filed his last DACA renewal application on November 29, 2023, and it is still pending. He has no criminal convictions.

3. On September 21, 2025, Mr. Salgado was shopping in Chicago with his U.S. citizen wife and their three-week-old son when ICE agents arrested him and transferred him to Chase County Detention Center.

4. ICE placed Mr. Salgado in in removal proceedings before the Kansas City Immigration Court, charging him with inadmissibility for having entered the United States without admission or inspection and also for lack of valid entry documents. See 8 U.S.C. §§ 1182(a)(6)(A)(i), (7)(A)(i)(I).

5. The facts and circumstances of Mr. Salgado's detention place him squarely within the detention authority at 8 U.S.C. § 1226(a). Under that statute, Mr. Salgado is eligible to seek release on bond or conditional parole from an IJ. However, due to a new policy announced by ICE on July 8, 2025, *see* ICE Memo: Interim Guidance Regarding Detention Authority for Applications for Admission (ICE Memo)¹ and a September 5, 2025 Board of Immigration Appeals (BIA) decision that overturns decades of settled law, *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025), Respondents DHS and EOIR contend that Mr. Salgado is detained under 8 U.S.C. § 1225(b)(2) and that the IJ therefore has no jurisdiction to determine whether he merits release on his own recognizance or on bond.

6. On October 20, 2025, an IJ at the Kansas City Immigration Court, invoking the BIA's decision in *Matter of Yajure Hurtado*, held that the immigration court did not have jurisdiction to grant Mr. Salgado's request for release, claiming he is detained under § 1225(b)(2), not § 1226(a).

¹ Available at: <https://perma.cc/4Q6X-GAZC>.

7. Because 8 U.S.C. § 1225(b)(2) only applies to noncitizens apprehended at the border who are “seeking admission,” Respondents’ position that Mr. Salgado is subject to detention under this provision violates the plain language of the Immigration and Nationality Act (INA). Therefore, Mr. Salgado brings this action for a declaratory judgment from this Court that he is properly detained (if at all) only pursuant to 8 U.S.C. § 1226(a); and seeking an order that he be released, or in the alternative, ordering Respondents to conduct a bond hearing pursuant to § 1226(a) before an IJ within seven days.

JURISDICTION

8. This Court has jurisdiction pursuant to 28 U.S.C. § 2241 (habeas corpus); 28 U.S.C. § 1331 (federal question); 28 U.S.C. § 2201 et seq. (Declaratory Judgment Act); and Article I, section 9, clause 2 of the United States Constitution (the Suspension Clause). Jurisdiction is also proper because Respondents Noem, Olson, and Bondi are officials of the United States. 28 U.S.C. § 1346(a)(2).

9. The Court has authority to grant relief pursuant to 28 U.S.C. § 2241, 28 U.S.C. § 2201 et seq. (Declaratory Judgment Act), 28 U.S.C. § 1651 (the All Writs Act), and the Court’s inherent equitable powers.

VENUE

10. Venue lies in this Court because Mr. Salgado is currently detained at the Chase County Detention Center within this judicial district.

11. Venue is also properly in this Court pursuant to 28 U.S.C. § 1391(e) because Respondents are employees, officers, and agencies of the United States, and because a substantial part of the events or omissions giving rise to the claims occurred in this District.

REQUIREMENTS OF 28 U.S.C. § 2243

12. The Court must grant the petition for writ of habeas corpus or order Respondents to show cause “forthwith,” unless the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, Respondents must file a return “within three days unless for good cause additional time, not exceeding twenty days, is allowed.” *Id.*

13. 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 . . . 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). “The application for the writ usurps the attention and displaces the calendar of the judge or justice who entertains it and receives prompt action from him within the four corners of the application.” *Yong v. I.N.S.*, 208 F.3d 1116, 1120 (9th Cir. 2000) (citation omitted).

PARTIES

14. Petitioner Heriberto Salgado Flores is 35-year-old native and citizen of Mexico who lives in Chicago. He has been detained at the Chase County Detention Center in Cottonwood Falls, Kansas since on or around September 22, 2025. ICE did not set bond, and, on October 20, 2025, an IJ in Kansas City refused to grant his bond request pursuant to the Board’s decision in *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025).

15. Respondent Kristi Noem is the Secretary of the Department of Homeland Security. She is responsible for the implementation and enforcement of the INA, and oversees ICE, which is the component agency of DHS that is responsible for Mr. Salgado’s detention. Ms. Noem has ultimate custodial authority over Mr. Salgado and is sued in her official capacity.

16. Respondent Department of Homeland Security (DHS) is the federal agency

responsible for implementing and enforcing the INA, including the detention and removal of noncitizens.

17. Respondent Samuel Olson is the Interim Director of the Chicago ICE Field Office in Chicago, Illinois. He oversees the ICE office that arrested and continues to detain Mr. Salgado. He is the legal custodian of Mr. Salgado and is sued in his official capacity.

18. Respondent Pamela Bondi is the Attorney General of the United States. She is the head of the U.S. Department of Justice, of which the Executive Office for Immigration Review, which is comprised of the Board of Immigration Appeals and immigration courts, operates as a component agency. She is sued in her official capacity.

19. Respondent Executive Office for Immigration Review (EOIR) is the federal agency responsible for implementing and enforcing the INA in removal proceedings, including for custody redeterminations in bond hearings.

20. Respondent Jacob Welsh is the Sheriff of Chase County, Kansas, the warden in charge of the Chase County Detention Center where Mr. Salgado is detained, and the immediate physical custodian of Mr. Salgado. He is sued in his official capacity.

LEGAL BACKGROUND

21. When noncitizens are alleged to have violated immigration laws, they are generally placed into removal proceedings in which an IJ determines whether they are removable and whether they have a legal basis to remain in the United States. 8 U.S.C. § 1229a.

22. The INA prescribes two basic forms of detention for the majority of noncitizens in removal proceedings who are not subject to a final order of removal.

23. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens in standard removal proceedings before an IJ. *See* 8 U.S.C. § 1229a; *see also* *Jennings v. Rodriguez*, 583 U.S. 281, 288

(2018) (“Section 1226(a) sets out the default rule: . . . [and] [e]xcept as provided in [1226(c)],’ the Attorney General ‘may release’ [a noncitizen] detained under § 1226(a) ‘on . . . bond”). Individuals subject to § 1226(a) are generally 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 may be subject to mandatory detention under 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). *See Jennings*, 583 U.S. at 289.

25. This case concerns the detention provisions at 8 U.S.C. §§ 1226(a) and 1225(b)(2).

26. Section 1225(b)(2) provides for the detention of an “applicant for admission” – a term defined at 8 U.S.C. § 1225(a)(1) – only if “the examining immigration officer determines that an alien *seeking admission* is not clearly and beyond a doubt entitled to be admitted.” (emphasis added).

27. An individual correctly detained pursuant to §§ 1225(b)(1) or (b)(2) may only be released from detention on parole, a form of release on recognizance, under 8 U.S.C. § 1182(d)(5). *Jennings*, 583 U.S. at 288.

28. For a noncitizen subject to discretionary detention under 8 U.S.C. § 1226(a), ICE makes an initial custody determination to either set a bond or hold the individual at no bond. The noncitizen may then seek a review of ICE’s custody determination before the IJ, who has the authority to set bond when ICE has designated no bond, lower the bond when ICE has set a cash bond amount, or deny bond completely. 8 C.F.R. § 1003.19.

29. During a custody review hearing, once jurisdiction over bond is established, the

scope of inquiry is limited to whether the noncitizen is a danger to the community or a flight risk. *Matter of Guerra*, 24 I. & N. Dec. 37 (BIA 2006).

30. The detention provisions at § 1226 and § 1225(b) 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(c) was most recently amended earlier this year by the Laken Riley Act, Pub. L. No.119-1, 139 Stat. 3 (2025).

31. Following the enactment of the IIRIRA, EOIR drafted new regulations explaining 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) (“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.”).

32. Thus, for decades, it has been Respondent EOIR’s practice to afford § 1226(a) custody hearings to those individuals who entered without inspection and were placed in standard removal proceedings. 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 the former § 1252(a)).

33. On July 8, 2025, ICE, “in coordination with” the Department of Justice (DOJ), announced a new policy invoking a breathtakingly broad interpretation of 8 U.S.C. § 1225(b)(2),

rejecting the well-established understanding of the statutory framework, and reversing decades of practice. *See* ICE Memo at 1. This Memo, entitled “Interim Guidance Regarding Detention Authority for Applicants for Admission,” claims that all persons who entered the United States without inspection are now subject to mandatory detention under 8 U.S.C. § 1225(b). *Id.* 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. *Id.*

34. On September 5, 2025, the BIA adopted ICE’s re-interpretation of § 1225(b)(2), in a precedent decision that is binding on all IJs nationwide. *Matter of Yajure Hurtado*, 29 I. & N. Dec. 216 (BIA 2025). In that decision, the BIA 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.

35. Since Respondents adopted their new policies, more than 180 federal courts nationwide – including other courts within the jurisdiction of the Tenth Circuit Court of Appeals – have rejected DHS’s and the BIA’s new interpretation of the detention authorities under 8 U.S.C. §§ 1226(a) and 1225(b). *See, e.g., Mendoza Gutierrez v. Baltasar*, No. 25-cv-2720, 2025 WL 2962908, at *3 (D. Colo. Oct. 17, 2025); *Moya Pineda v. Baltasar*, No. 1:25-cv-2966, at 3-4 (D. Colo. Oct. 20, 2025); *Salazar v. Dedos*, No. 1:25-cv-00835-DHU-JMR, 2025 WL 2676729, at *4 (D.N.M. Sept. 17, 2025); *Garcia Domingo v. Castro*, 1:25-cv-00979-DHU-GJF, --- F. Supp. 3d ---, 2025 WL 2941217, at *4 (D.N.M. Oct. 15, 2025); *Hernandez Cuevas v. Olson et al.*, No. 4:25-CV-00830-BP, at 5 (W.D. Mo. Nov. 5, 2025); *Francisco T. v. Bondi*, No. 25-CV-03219 (JMB/DTS), --- F. Supp. 3d ----, 2025 WL 2629839, at *3-4 (D. Minn. Aug. 29, 2025); *Maldonado v. Olson*, No. 25-cv-03142-SRN-SGE, --- F. Supp. 3d ----, 2025 WL 2374411, at *13 (D. Minn. Aug. 15, 2025); *Rodriguez Vazquez v. Bostock*, 779 F. Supp. 3d 1239, 1256-59 (W.D. Wash.

2025); *Beltran Barrera v. Tindall*, No. 3:25-CV-541-RGJ, 2025 WL 2690565, at *6 (W.D. Ky. Sept. 19, 2025); *Rosado v. Figueroa*, No. CV 25-02157 PHX DLR (CDB), 2025 WL 2337099, at *11 (D. Ariz. Aug. 11, 2025), *report and recommendation adopted*, No. CV-25-02157-PHX-DLR (CDB), 2025 WL 2349133 (D. Ariz. Aug. 13, 2025); *Giron Reyes v. Lyons*, No. C25-4048-LTS-MAR2025, --- F.Supp.3d ----, 2025 WL 2712427, at *4-5 (N.D. Iowa Sept. 23, 2025); *Mariano Miguel v. Noem*, No. 25 C 11137, 2025 WL 2976480, at *1 (N.D. Ill. Oct. 21, 2025); *Ramirez Valverde v. Olson*, No. 25-CV-1502, 2025 WL 3022700, at *4 (E.D. Wis. Oct. 29, 2025); *Campos Leon v. Forestal*, No. 1:25-cv-01774-SEB-MJD, 2025 WL 2694763, at *3 (S.D. Ind. Sept. 22, 2025); *Guerrero Orellana*, No. 1:25-CV-12664-PBS, --- F.Supp.3d ----, 2025 WL 2809996, at *7 (D. Mass. Oct. 3, 2025) (granting PI); *Romero v. Hyde*, No. 1:25-CV-11631-BEM, --- F.Supp.3d ----, 2025 WL 2403827, at *8-9 (D. Mass. Aug. 19, 2025); *Bethancourt Soto v. Soto*, No. 25-CV-162002025, --- F.Supp.3d ----, 2025 WL 2976572, at *5 (D.N.J. Oct. 22, 2025); *Arrazola-Gonzalez v. Noem*, No. 5:25-CV-01789-ODW (DFMx), 2025 WL 2379285, at *2 (C.D. Cal. Aug. 15, 2025); *Ramirez Clavijo v. Kaiser*, No. 25-CV-06248-BLF, 2025 WL 2419263, at *4 (N.D. Cal. Aug. 21, 2025); *Vasquez Garcia v. Noem*, No. 25-CV-02180-DMS-MM, 2025 WL 2549431, at *6 (S.D. Cal. Sept. 3, 2025); *Kostak v. Trump*, No. 3:25-cv-01093-JE-KDM, 2025 WL 2472136, at *3 (W.D. La. Aug. 27, 2025); *Hernandez Lopez v. Hardin*, No. 2:25-cv-830-KCD-NPM, 2025 WL 2732717, at *2 (M.D. Fla. Sept. 25, 2025); *see also, e.g., Palma Perez v. Berg*, No. 8:25CV494, --- F.Supp.3d ----, 2025 WL 2531566, at *2 (D. Neb. Sept. 3, 2025) (noting that “[t]he Court tends to agree” that § 1226(a) and not § 1225(b)(2) authorizes detention).

36. As the courts have recognized, Section 1226(a) applies by default to all persons similarly situated to Mr. Salgado “pending a decision on whether the alien is to be removed from the United States.” Hearings to determine whether individuals are to be removed are held to

“decid[e] the inadmissibility or deportability of a[] [noncitizen].” 8 U.S.C. § 1229a(a)(1).

37. The text of § 1226 also explicitly applies to individuals charged as being inadmissible, including those who entered without inspection. *See* 8 U.S.C. § 1226(c)(1)(E). Subparagraph (E) – which was just added to the statute by Congress in 2025 via the Laken Riley Act, Pub. L. No. 119-1, 139 Stat. 3 (2025) – lays out exceptions to bond eligibility for those who have engaged in certain criminal activity. *Id.* Thus, by referencing such individuals, subparagraph (E) makes clear that, by default, inadmissible individuals who do not meet the criminal exceptions are afforded a bond hearing under subsection (a). As one court recently explained, “[w]hen Congress creates ‘specific exceptions’ to a statute’s applicability, it ‘proves’ that absent those exceptions, the statute generally applies.” *Rodriguez Vazquez v. Bostock*, 779 F. Supp. 3d at 1257 (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*, 583 U.S. at 287.

40. Accordingly, the mandatory detention provision of § 1225(b)(2)(A) does not apply to people like Mr. Salgado, who have already entered and were residing in the United States at the time they were apprehended.

FACTS

41. Mr. Salgado is a citizen of Mexico. He was brought into the United States without inspection in or around early 1992, before his second birthday.

42. Mr. Salgado established a life in Chicago and received DACA. He first obtained DACA in 2012, renewing it several times. He filed his last renewal application in November 2023, which is still pending.

43. Mr. Salgado is married to a U.S. citizen who suffers from post-partum depression, and is the father of a two-month-old U.S.-citizen son. His only criminal history is an arrest in 2015 for which all charges were dismissed.

44. On September 22, 2025, Mr. Salgado was arrested by ICE agents outside a store near his home in Chicago while he was shopping with his wife and child.

45. Mr. Salgado is currently detained in the Chase County Detention Center in Cottonwood Falls, Kansas, an approximately 10-hour drive from his infant son and his wife.

46. Mr. Salgado is now in removal proceedings and is charged with inadmissibility for having entered the United States without admission or inspection and for lack of valid entry documents under 8 U.S.C. §§ 1182(a)(6)(A)(i) and (7)(A)(i)(I). **Exhibit A**. He is eligible for cancellation of removal for non-permanent residents under 8 U.S.C. § 1229b(b)(1).

47. On October 20, 2025, the IJ issued a summary decision stating that he lacked jurisdiction to assess the merits of Mr. Salgado's request for release, citing *Matter of Yajure Hurtado* and 8 U.S.C. § 1225(b)(2)(A). **Exhibit B**.

48. All Respondents consider Mr. Salgado detained pursuant to 8 U.S.C. § 1225(b)(2) and *Matter of Yajure Hurtado*, and the IJ denied bond for this reason. 29 I. & N. Dec. 216. Accordingly, it would be futile for Mr. Salgado to appeal the IJ's decision to the BIA as the BIA

is bound by its controlling precedent. Furthermore, on information and belief, an appeal to the BIA could take months or even years to be adjudicated.

49. Without relief from this Court, Mr. Salgado faces the prospect of months, or even years, in immigration custody, separated from his family and community.

FIRST CLAIM FOR RELIEF
No-Bond Detention in Violation of 8 U.S.C. § 1226(a)

50. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

51. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to noncitizens like Petitioner who are residing in the United States and who are subject to the grounds of inadmissibility simply for previously entering the country without being admitted or inspected. Such noncitizens are detained under § 1226(a), unless they are subject to another detention provision, such as § 1225(b)(1), § 1226(c), or § 1231. As relevant here, none of the mandatory custody provisions apply to Mr. Salgado who entered the country more than thirty-three years ago, as a baby, without inspection.

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

SECOND CLAIM FOR RELIEF:
Detention in Violation of Due Process

53. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

54. Immigration detention is civil, not criminal, in nature. There are only two permissible reasons for immigration detention: to avoid flight, and to avoid danger to the community.

55. The government may not deprive a 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 that the Clause protects.” *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).

56. Petitioner has a fundamental interest in liberty and being free of official restraint.

57. Respondents’ detention of Petitioner without a bond redetermination hearing to determine whether he is a flight risk or danger to others violates his right to due process.

THIRD CLAIM FOR RELIEF
Declaratory Judgment

58. Petitioner repeats, re-alleges, and incorporates by reference each and every allegation in the preceding paragraphs as if fully set forth herein.

59. Petitioner requests a declaration from this Court that he is not an applicant for admission “seeking admission” or “an arriving alien” subject to mandatory detention under 8 U.S.C. §§ 1225(b)(1) or (b)(2), and that his current detention by Respondents is proper, if at all, only under 8 U.S.C. § 1226(a).

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

- a) Assume jurisdiction over this matter;
- b) Order that Petitioner shall not be transferred outside of the District of Kansas pending this litigation;
- c) Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days;
- d) Declare that Respondents’ actions, as set forth herein, violate the Petitioner’s due process rights;

- e) Declare that the Petitioner is detained pursuant to 8 U.S.C. § 1226(a).
- f) Issue a Writ of Habeas Corpus requiring that Respondents release Petitioner or, in the alternative, provide Petitioner with a bond hearing to determine whether he is a flight risk or danger to others pursuant to 8 U.S.C. § 1226(a) within seven days;
- g) Award Petitioner attorney's fees and costs under the Equal Access to Justice Act (EAJA), as amended, 28 U.S.C. § 2412, and on any other basis justified under law; and
- h) Grant any other and further relief that this Court deems just and proper.

Respectfully submitted this 10th day of November 2025,

/s/ Genevra Alberti

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

I am one of the attorneys who represent Petitioner, Heriberto Salgado Flores, 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 10th day of November 2025.

/s/Genevra Alberti
Counsel for Petitioner

