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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

JOSE AMILCAR BENITEZ  
CASTRO; A   
Petitioner,

Case No. **2:25-cv-17598**

v.

LUIS SOTO, in his official capacity as Warden of Delaney Hall Detention Facility; JOHN TSOUKARIS, in his official capacity as Field Office Director of the Immigration and Customs Enforcement, Enforcement and Removal Operations Newark Field Office; TODD LYONS, in his official capacity as the Acting Director of U.S. Immigration and Customs Enforcement; KRISTI NOEM, in her official capacity as Secretary of the Department of Homeland Security, and PAMELA BONDI, in her official capacity as United States Attorney General.

Respondents.

**EMERGENCY  
MOTION TO  
ENFORCE WRIT OF  
HABEAS CORPUS  
ORDER, FOR  
SANCTIONS, AND FOR  
IMMEDIATE RELEASE**

**EMERGENCY MOTION TO ENFORCE WRIT OF HABEAS CORPUS  
ORDER, FOR SANCTIONS, AND FOR IMMEDIATE RELEASE**

Petitioner, JOSE AMILCAR BENITEZ CASTRO, by and through undersigned counsel, respectfully moves this Honorable Court for an Order enforcing its previous Habeas Corpus Order, holding Respondents in contempt/imposing sanctions, and ordering Petitioner's immediate release from immigration detention, as Respondents have flagrantly disobeyed the Court's mandate by creating procedural obstacles to a timely bond determination, thereby denying Petitioner the relief granted by this Court.

**I. INTRODUCTION**

1. On December 23, 2025, this Court granted Petitioner's Writ of Habeas Corpus, finding that Respondents shall treat Petitioner as detained under 28 U.S.C. § 1226(a) and ordering Respondents to provide Petitioner with an individualized bond hearing no later than seven (7) days from the date of the order. Ex. A, Copy of Memorandum and Order of United States District Judge Julien Xavier Neals, US District Court for the District of New Jersey, in the matter of Respondent's motion for a writ of habeas corpus BENITZ CASTRO V. BONDI et al, 2:25-cv-17598-JXN (DCNJ, December 23, 2025).
2. On the afternoon of December 26, 2025, Petitioner filed a motion for a bond hearing, including documentary evidence in support of the motion, via the EOIR Case Portal, attaching the order of the DCNJ, which remained pending as of the morning of December 29, 2025. Ex. B, Copy of Respondent's Motion for Bond Redetermination; Ex C, Copy of email Notice of EOIR Receipt of Bond Redetermination Request, dated December 26, 2025.

3. On December 29, 2025, Petitioner received notice that bond proceedings had been initiated in his case. Ex D, Copy of email EOIR Notice of Receipt of eFiled Bond Redetermination Request, dated 12/29/25 at 8:38am.
4. Shortly thereafter, Petitioner received notice that a bond hearing had been scheduled for Tuesday, December 30, 2025, at 1:00pm. Ex E, Copy of email EOIR Notice of Case Notice, dated 12/29/25 at 8:40am, with attached Notice of Custody Redetermination Hearing in Immigration Proceedings.
5. Approximately 2 hours after receiving the above communication, Petitioner received further notice from the EOIR that the bond motion that had been filed on Friday, December 26, 2025, was rejected by the court. The rejection reason provided by the court indicated, "Bond proceeding is already pending before the court." Ex F, Copy of EOIR Notice of Rejected Filing, dated 12/29/25 at 10:28am, with attached Rejection Notice.
6. Upon review of the EOIR Case Portal, Petitioner discovered that Respondent had filed a separate request for a bond hearing via the EOIR Case Portal on December 29, 2025, after Petitioner's December 26, 2025 filing, but before Petitioner's filing had been accepted by the court.
7. Petitioner immediately refiled a copy of the full bond motion with evidence in anticipation of the bond hearing on December 30, 2025 at 1:00pm, in the EOIR Case Portal, where it showed as "pending." Ex G, Copy of email EOIR Notice of electronic upload of document titled, "Jose Benitez Castro\_Bond Redetermination FINAL 12.26.25\_resubmission," dated 12/29/25 at 11:19am.

8. Petitioner appeared before the Immigration Judge on Tuesday, December 30, 2025 at 1:00pm, noting that the submission from December 29 was still listed as “pending,” and had not yet been properly accepted by the court. This, despite the fact that documents that had been filed by both the Petitioner and the Respondent after the December 29 filing had been properly accepted by the court. Ex H, Copy of email EOIR Notice of Review and Approval of supplemental evidence uploaded by Respondent on 12/30/25, dated 12/30/25 at 1:57pm.
9. Petitioner was called by the judge at approximately 2:20pm, after which the clerk of the court accepted the December 29, 2025 timely submitted motion and supporting evidence into the record; however, the Immigration Judge indicated that she would not have time to review the motion, informing counsel that in order to proceed, she would have to do so without reviewing the record, or alternatively indicating Counsel could withdraw the bond request and refile in order to ensure the full record could be reviewed. Ex I, Copy of email EOIR Notice of Review and Approval of Petitioner’s Bond Motion uploaded on 12/29/25, dated 12/30/25 at 2:28pm.
10. Petitioner’s counsel was therefore forced to withdraw and refile in order to ensure that the Petitioner’s evidence be given full consideration.
11. Note that Petitioner had been denied a bond hearing on two prior occasions by the EOIR: the first on 11/20/2025 (denied for lack of jurisdiction based on the BIA decision Matter of Yajure Hurtado), Ex J, Copy of Order of the Immigration Judge, dated 11/20/2025; and the second on 12/04/2025 (denied for lack of jurisdiction based on the BIA decision Matter of Yajure Hurtado). Note that the 12/04/2025 decision was entered after the U.S. District Court, Central District of California, Order Granting Petitioners’ Motion for

Class Certification in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, -  
-- F. Supp. 3d ----, 2025 WL 3288403, at \*9 (C.D. Cal. Nov. 25, 2025) and despite  
Petitioner's Class Membership. Ex K, Copy of Order of the Immigration Judge, dated  
12/04/2025.

12. While Respondents scheduled a bond hearing within the 7 days ordered by the DCNJ,  
Respondent's failure to process Petitioner's timely submitted bond motion and evidence,  
forcing counsel to withdraw and refile the request, prevented the Immigration Judge from  
fulfilling the Court's directive on time.
13. Respondents' actions constitute deliberate obstruction, rendering the Court's order  
meaningless and requiring immediate judicial enforcement through release.

## II. BACKGROUND

14. **Court Order:** On December 23, 2025, this Court granted Petitioner's Writ of Habeas  
Corpus, finding that Respondents shall treat Petitioner as detained under 28 U.S.C. §  
1226(a) and ordering Respondents to provide Petitioner with an individualized bond  
hearing no later than seven (7) days from the date of the order.
1. **EOIR Non-Compliance:** Respondents scheduled the hearing for December 30, 2025, but  
the Immigration Judge refused to review timely filed evidence due to administrative  
failure, suggesting withdrawal and refiling.
2. **Procedural Frustration:** Petitioner's Counsel was compelled to withdraw the bond  
request and refile to avoid proceeding without evidence, effectively nullifying the  
original order's intent and timeline.

3. **Continued Detention:** Petitioner remains detained despite the granted habeas petition and the Court's order for prompt relief.

### III. ARGUMENT

- **Respondents Violated the Court's Order:** The Court ordered a bond hearing within 7 days; Respondents created a situation preventing the IJ from ruling on the merits, violating the order's spirit and letter.
- **Mandatory Nature of Habeas Relief:** 28 U.S.C. § 2243 requires courts to summarily hear and determine matters, and orders for release must be obeyed.
- **Enforcement is Necessary:** This Court must enforce its order through sanctions or direct release to remedy the violation.

### IV. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests:

1. An Order immediately enforcing the Habeas Corpus Order, compelling the EOIR to conduct a proper bond hearing immediately.
2. Sanctions against Respondents for failing to comply with the Court's order.
3. An Order for Petitioner's immediate release from immigration detention.

Dated: December 30, 2025

Respectfully submitted,

*/s/Catherine E. Reilly*  
Catherine E. Reilly, Esq.  
Reilly Immigration Law, PLLC  
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175 Greenwich St., 38<sup>th</sup> Floor  
New York, New York 10007  
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| TAB | DOCUMENT DESCRIPTION   |
|-----|--|
| A   | Copy of Memorandum and Order of United States District Judge Julien Xavier Neals, US District Court for the District of New Jersey, in the matter of Respondent's motion for a writ of habeas corpus BENITZ CASTRO V. BONDI et al, 2:25-cv-17598-JXN (DCNJ, December 23, 2025) |
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| I   | Copy of email EOIR Notice of Review and Approval of Petitioner's Bond Motion uploaded on 12/29/25, dated 12/30/25 at 2:28pm  |
| J   | Copy of Order of the Immigration Judge, dated 11/20/2025   |
| K   | Copy of Order of the Immigration Judge, dated 12/04/2025   |

# TAB A

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

JOSE AMILCAR BENITEZ CASTRO,

Petitioner,

v.

PAMELA BONDI, *et al.*,

Respondents.

Civil Action No. 25-17598 (JXN)

**MEMORANDUM AND ORDER**

NEALS, District Judge

Before the Court is Petitioner Jose Amilcar Benitez Castro's ("Petitioner") Petition for Writ of Habeas Corpus ("Petition") pursuant to 28 U.S.C. § 2241 challenging his continued detention by immigration authorities without an individualized bond hearing (ECF No. 1) and Respondents' letter response (ECF No. 6).

Petitioner, a citizen of Honduras, entered the United States without inspection in 2004 and has remained here since. (Habeas Br. ¶ 1, ECF No. 1.) Over two decades later, on October 16, 2025, Petitioner was arrested by Immigration Customs and Enforcement ("ICE") agents. (*Id.* ¶ 5.) Petitioner has been detained at Delaney Hall, in Newark, New Jersey since his arrest. (*Id.*) Following Petitioner's arrest and detention, he has not been afforded an individualized bond hearing because he is being held in mandatory detention under 8 U.S. C. § 1225(b)(2). (*Id.*)

On November 18, 2025, the Court ordered Respondents to file an answer and enjoined Respondents from transferring Petitioner from Delaney Hall Detention Center in Newark, New Jersey. (*See* Mem. Order, ECF No. 4.) Respondents filed a letter response. (Resp., ECF No. 6.)

Among other arguments, Petitioner contends he is entitled to a bond hearing under 8 U.S.C. § 1226(a). (*See generally* Habeas Br.) Respondents do not dispute the salient facts and acknowledge they assert the same position here as in many similar cases in this District, including recently in *Fuentes Velasquez v. Noem*, No. 25-16797 (D.N.J. Dec. 17, 2025), a matter before this Court. In *Fuentes Velasquez*, Respondents argued the Department of Homeland Security (“DHS”) implemented a new policy interpreting the Immigration and Nationality Act (“INA”) § 235, 8 U.S.C. § 1225(b)(2)(A), to require mandatory detention of noncitizens who entered the United States without admission or inspection and to render them ineligible for release on bond, a position that the Board of Immigration Appeals recently adopted in *In re Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). *See Fuentes Velasquez*, slip op. at 4.

In *Fuentes Velasquez*, this Court rejected *Hurtado*’s interpretation of 8 U.S.C. § 1225(b)(2). *Id.* at 6-11. In a factually similar situation, the Court held *Fuentes Velasquez* was unlawfully held in mandatory detention under § 1225(b)(2) and must be treated as being held under the discretionary authority of 8 U.S.C. § 1226(a). *See id.* The Court explained:

The issue of whether Petitioner is properly detained under § 1225(b) or § 1226(a) is similar to that of many cases in this District and around the country. “The line historically drawn between these two sections . . . is that section 1225 governs detention of non-citizens ‘seeking admission into the country,’ whereas section 1226 governs detention of non-citizens ‘already in the country.’” *Martinez v. Hyde*, No. 25-cv-11613, 2025 WL 2084238, at \*8 (D. Mass. July 24, 2025) (citing *Jennings*, 583 U.S. at 288–89); *see also Lopez-Campos v. Raycraft*, 2025 WL 2496379, at \*8 (E.D. Mich. Aug. 29, 2025) (“There can be no genuine dispute that Section 1226(a), and not Section 1225(b)(2)(A), applies to a noncitizen who has resided in this country for over twenty-six years and was already within the United States when apprehended and arrested during a traffic stop, and not upon arrival at the border.”). “[T]he provisions at issue here are mutually exclusive—a noncitizen cannot be subject to both mandatory detention under § 1225 and discretionary detention under § 1226 . . . .” *Lopez Benitez v. Francis*, No. 25-cv-5937, 2025 WL 2371588, at \*4 (S.D.N.Y. Aug. 13, 2025).

....

. . . For nearly 30 years, § 1225 has applied to noncitizens who are either seeking entry to the United States or have a close nexus to the border, and § 1226 has applied to those aliens arrested within the interior of the United States. The Supreme Court in *Jennings* explicitly adopted this distinction, describing § 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.” 583 U.S. at 289. And although the *Jennings* Court characterizes § 1225(b)(2) as the “catchall” detention provision for noncitizens who are “seeking admission,” it identifies § 1226(a) as the “default rule” for the arrest, detention, and release of non-criminal aliens who are already present in the United States. *Id.* at 303.

The vast majority of courts confronting this precise issue have rejected Respondents’ interpretation, as well as the BIA’s interpretation in *Hurtado*, as contradictory to the plain text of § 1225.<sup>1</sup> *See, e.g., Soto*, 2025 WL 2976572, at \*7 (finding that § 1225(b)(2)(A) applies only to noncitizens who are actively, *i.e.*, affirmatively, “seeking admission” to the United States and not petitioners who have been residing in the United States); *Belsai D.S. v. Bondi*, No. 25-cv-3682, 2025 WL 2802947 at \* 6 (D. Minn. Oct. 1, 2025) (noting that “the government’s proposed interpretation of § 1225(b) [is] at odds with the context and structure of the provisions governing detention of noncitizens who are arriving at the border and those who are already present in the country”); *Zumba*, 2025 WL 2753496 at \* 3 (noting that “up until July 8 the predominant form of detention authority for petitioner and other noncitizens arrested in the interior of the United States was § 1226(a)”); *Salazar v. Dedos*, No. 25-cv-835, 2025 WL 2676729 (D.N.M. Sept. 17, 2025); *Lepe v. Andrews*, No. 25-cv-01163, 2025 WL 2716910 (E.D. Cal. Sept. 23, 2025); *Roman v. Noem*, No. 25-cv-01684, 2025 WL 2710211 (D. Nev. Sept. 23, 2025); *Giron Reyes v. Lyons*, No. 25-cv-4048, 2025 WL 2712427 (N.D. Iowa Sept. 23, 2025); *Singh v. Lewis*, No. 25-cv-0096, 2025 WL 2699219 (W.D. Ky. Sept. 22, 2025); *Barrera v. Tindall*, No. 25-cv-541, 2025 WL 2690565 (W.D. Ky. Sept. 19, 2025); *Hasan v. Crawford*, No. 25-cv-1408, 2025 WL 2682255 (E.D. Va. Sept. 19, 2025); *Vazquez v. Feeley*, No. 2:25-cv-01542, 2025 WL 2676082 (D. Nev. Sept. 17, 2025); [collecting additional cases].

*Id.* at 7-10.

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<sup>1</sup> This Court is not required to defer to the BIA’s interpretation of § 1225 because “[w]hen the meaning of a statute [is] at issue, the judicial role [is] to ‘interpret the act of Congress, in order to ascertain the rights of the parties.’” *Loper Bright Enterprises v. Raimondo*, 603 U.S. 369, 385 (2024) (quoting *Decatur v. Paulding*, 39 U.S. 497, 503 (1840)).

Based on this Court's statutory interpretation in *Fuentes Velasquez*, the Court finds the facts asserted in the Petition establish Petitioner's detention is authorized only by 8 U.S.C. § 1226(a), and not § 1225(b)(2).

Accordingly

**IT IS**, on this 23rd day of December 2025,


**ORDERED** that the Petition (ECF No. 1) is **GRANTED**; and it is further

**ORDERED** that Respondents shall treat Petitioner as detained under 28 U.S.C. § 1226(a); and it is further

**ORDERED** that, as soon as practicable but **no later than 7 days from the date of this Order**, Respondents shall provide Petitioner with an individualized bond hearing in accordance with 8 U.S.C. § 1226(a) before an immigration judge who shall assess whether he presents a flight risk or a danger to the community; and it is further

**ORDERED** that within three **(3) days** of that bond hearing, Respondents shall file a written notice of the outcome of that proceeding with the Court; and it is finally

**ORDERED** the Clerk of Court shall serve a copy of this Order and the accompanying Opinion upon the parties electronically and **CLOSE** the case.

  
HONORABLE JULIEN XAVIER NEALS  
United States District Judge

**TAB B**

Catherine E. Reilly  
EOIR ID: KK385992  
Reilly Immigration Law, PLLC  
3 World Trade Center  
175 Greenwich St., 38<sup>th</sup> Floor  
New York, NY 10007

**DETAINED AT**  
**Delaney Hall Detention Facility**

**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IMMIGRATION COURT  
ELIZABETH, NEW JERSEY**

\_\_\_\_\_  
IN THE MATTER OF: )  
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 )  
BENITEZ CASTRO, Jose Amilcar )  
 )  
 )  
In Removal Proceedings )  
\_\_\_\_\_ )

A#: 

**Immigration Judge: CHEN**

**Next Court Hearing: MCH, 01/06/2026**

**RESPONDENT'S MOTION FOR BOND REDETERMINATION**



**UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IMMIGRATION COURT  
ELIZABETH, NEW JERSEY**

**IN THE MATTER OF:**

**BENITEZ CASTRO, Jose Amilcar**

§  
§  
§  
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§

**A#:**





**DETAINED**

**MOTION FOR BOND REDETERMINATION**

Comes now the Respondent, Jose Amilcar Benitez Castro, by and through his undersigned attorney, Catherine E. Reilly, and moves the Court to set bond. In support of this motion, Respondent states through Counsel as follows:

**STATEMENT OF FACTS**

1. The Department of Homeland Security has placed the Respondent in Removal proceedings. He is currently detained at the Delaney Hall Detention Facility.
2. Respondent was born on  in Honduras.
3. Respondent will be residing at  where he has lived since 2012.
4. Respondent will be residing with his partner, Sandra Martinez, and their U.S. citizen children in the same residence where Respondent has resided for the past 13 years. Ms. Martinez is capable and willing to provide support for the Respondent so that he will not become a public charge.
5. Additionally, she will ensure that Respondent will attend every hearing that is required of him.
6. Furthermore, Respondent has extended family in the community who can provide additional support and ensure his future court appearances.

7. Respondent has substantial ties to his community, including his partner, children and extended family. Respondent has worked for the same employer, Romero's Painting in Hempstead, NY, since 2012.
8. The Respondent has two prior convictions for Driving While Intoxicated (DWI) from 2018 and 2025. Respondent has complied with all judicial orders related to these convictions.
9. The Respondent is pursuing eligible forms of relief from removal, specifically cancellation of removal under INA § 240A(b), and has a strong *prima facie* case for such relief.

### ARGUMENT

The respondent bears the burden of proving he is not a flight risk and does not pose a danger to the community. The respondent has met this burden.

#### **A. The Respondent is not a Flight Risk**

- a. **Family and Community Ties:** The respondent's strong family ties (partner and three U.S. citizen children) and long-term residence in the area weigh heavily against the assumption of flight risk.
- b. **Employment History:** His stable employment history further indicates strong ties to the community and a disincentive to abscond.
- c. **Potential for Relief:** The respondent's eligibility for significant forms of relief, such as cancellation of removal, provides a powerful incentive to appear at all future hearings to present his case on the merits.

#### **B. The Respondent is not a Danger to the Community**

- a. **Nature of Offenses:** While the respondent has two DWI convictions, these are not crimes of violence. The court considers the extensiveness, recency, and

seriousness of criminal activity. While the Respondent acknowledges the seriousness of DWI, when considering the totality of the circumstances, the Respondent should not be considered a danger to the community such that he would be considered ineligible for bond. The first of the DWIs was in 2018 and the 2<sup>nd</sup> was in early 2025. Neither offense resulted in an accident or any harm to any persons or property. Because of a law in New York, the 2025 offense was charge as a more severe offense because it was the 2<sup>nd</sup> such incident within a 10 year period. The respondent has submitted evidence in the form of a letter from the Nassau Alternative Advocay Program indicating that he faithfully attended all counseling sessions since he started the program in April 2025 up until he was detained in October 2025 (48 group sessions and 3 individual sessions), and has successfully submitted to 19 random toxicology tests during the same time period, all of which were negative for alcohol. The respondent is prepared to accept reasonable conditions of release, such as continuing to abstain from alcohol and continuing to participate in relevant programs, to mitigate any potential future risk.

- b. **Respondent's Positive Equities Outweigh the Criminal History and the Negative Repercussions of His Continued Detention:** The positive factors in the respondent's history—family, employment, community integration—as well as consideration of the negative impact his ongoing detention has had and will continue to have on his U.S. citizen minor children outweighs the Respondent's criminal history for the purposes of a bond determination.

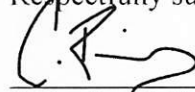
The respondent is willing to post a reasonable bond to secure his release and ensure his presence at all future proceedings.

**CONCLUSION**

WHEREFORE, Respondent, through counsel, respectfully requests this Court grant this Motion and release the Respondent on Bond.

Respectfully submitted,

Dated this 26<sup>th</sup> day of December, 2025.



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Catherine E. Reilly  
EOIR ID: KK385992  
Attorney for Respondent  
Reilly Immigration Law, PLLC  
3 WTC, 175 Greenwich St., 38<sup>th</sup> Floor  
New York, NY 10007

# EXHIBIT A

DEPARTMENT OF HOMELAND SECURITY  
NOTICE TO APPEAR

DOB: [REDACTED]

Event No: [REDACTED]

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

Subject ID: [REDACTED]

FINS: [REDACTED]

File No: [REDACTED]

In the Matter of:

Respondent: JOSE AMILCAR BENITEZ CASTRO currently residing at:

[REDACTED ADDRESS]

(Number, street, city, state and ZIP code)

(Area code and phone number)

- You are an arriving alien.
- You are an alien present in the United States who has not been admitted or paroled.
- You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of HONDURAS and a citizen of HONDURAS;
3. You entered the United States at or near unknown place, on or about unknown date;
4. You were not then admitted or paroled after inspection by an Immigration Officer. At that time you arrived at a time or place other than as designated by the Attorney General.

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

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

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to:  8CFR 208.30  8CFR 235.3(b)(5)(iv)

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

201 VARICK ST, 5TH FL RM 507 NEW YORK, NEW YORK 10014, NEW YORK VARICK

(Complete Address of Immigration Court, including Room Number, if any)

on March 5, 2026 at 8:30 am to show why you should not be removed from the United States based on the

(Date)

(Time)

charge(s) set forth above.

J 4879 JOHN - a(SDDO)  
(Signature and Title of Issuing Officer)

Date: October 16, 2025

535 Federal Plaza, CI, NY  
(City and State)

EOIR - 1 of 3

**Notice to Respondent**

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

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

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

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

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

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

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

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

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

**Request for Prompt Hearing**

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

Before, \_\_\_\_\_

(Signature of Respondent)

Date: \_\_\_\_\_

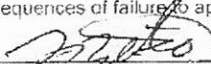
(Signature and Title of Immigration Officer)

**Certificate of Service**

This Notice To Appear was served on the respondent by me on October 16, 2025 in the following manner and in compliance with section 239(a)(1) of the Act.

- in person     by certified mail, returned receipt # \_\_\_\_\_ requested     by regular mail
- Attached is a credible fear worksheet.
- Attached is a list of organization and attorneys which provide free legal services.

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



(Signature of Respondent if Personally Served)

J1145 URENA - DO

(Signature and Title of officer)

EOIR - 2 of 3

### Privacy Act Statement

**Authority:**

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

**Purpose:**

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

**Routine Uses:**

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

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

**Disclosure:**

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

# EXHIBIT C

Dear Sir or Madam,

I'm writing as a friend of Jose Amilcar to express my sincere support for his immigration case. Jose Amilcar is a kind, hardworking, and dedicated man who has consistently shown himself to be a good citizen, a loving father, and a devoted member of our community.

He is deeply involved in his church, always offering a helping hand to others and showing leadership through his faith and actions. Jose Amilcar brings a strong sense of integrity and compassion to everything he does, whether it's within his family, at church, or in the broader community.

As a father, Jose Amilcar is present, responsible, and deeply committed to raising his child with strong values. His continued presence in this country not only benefits his own family, but also the community at large. He contributes in ways that often go unseen, offering emotional support to others, volunteering his time, and simply being a positive role model.

Allowing Jose Amilcar to remain in this country would ensure that a good man, a caring father, and a valuable community member can continue to live out his values and positively impact those around him.

Thank you for your time and consideration.

Warm regards,

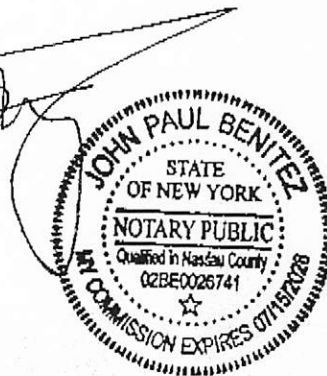
*Martha L Benitez*

Martha Lidia Benitez  
Glen Cove, NY 11542

STATE OF NEW YORK  
COUNTY OF NASSAU

Subscribed and sworn before me this  
14<sup>TH</sup> day of NOV, 2025.

by MARTHA LIDIA BENITEZ  
*[Signature]*  
NOTARY PUBLIC



To Whom It May Concern,

I am writing this letter in support of Jose Amilcar, whom I have had the privilege of knowing for several years. Jose Amilcar is a devoted father, a man of faith, and a consistently positive presence in our community. I hope to offer some insight into his character and the important role he plays in the lives of those around him.

Jose Amilcar is, above all, a family man. He is deeply committed to his child, providing not only with financial support, but also with emotional guidance, stability, and love. He is actively involved in the child's upbringing and takes his responsibilities as a parent very seriously. His presence in the child's life is essential to his well being and future success.

Beyond his role as a father, Jose Amilcar is also a dedicated member of his church. He regularly participates in services, volunteers his time, and contributes to various church activities and outreach efforts. His faith is not just something he practices in private it is reflected in the way he treats others: with respect, kindness, and humility.

In our community, Jose Amilcar is known for his hard work, reliability, and willingness to help others. Whether it's lending a hand to a neighbor in need, participating in community events, or simply offering words of encouragement, he makes a genuine effort to uplift those around him. His actions demonstrate a strong moral character and a deep sense of civic responsibility.

Allowing Jose Amilcar to remain in the United States would ensure that a valuable member of our society can continue to contribute meaningfully not only as a father and friend, but also as someone who adds to the fabric of our community through his integrity, compassion, and service.

Please feel free to contact me if any further information is needed. Thank you for your time and thoughtful consideration.

Sincerely,

Jose Isabel Benitez  
Glen Cove, NY 11542

STATE OF NEW YORK  
COUNTY OF WASSAHO

Subscribed and sworn before me this  
15<sup>TH</sup> day of NOV, 2025

by JOSE ISABEL BENITEZ

NOTARY PUBLIC



To Whom It May Concern,

I am writing this letter on behalf of Jose Amilcar, who is currently incarcerated and facing possible deportation. My name is Martha Isabel Benitez, and I am a family member as well as the godmother to one of his children. I have known Jose Amilcar for many years, and I want to share with you the kind of person he truly is, a devoted father, a hard worker, and a man who has been trying to build a better life for his family.

Jose Amilcar is not just a father, he is the foundation of his family. He has been there for his children through every moment that matters. Their first days of school, birthdays, sports games, and every milestone in between. His kids adore him and look up to him as their superhero, their "super dad." He has always been there for them emotionally, financially, and in every way a father should be. Even when life became difficult, his number one priority has always been his children's well-being and happiness.

Yes, Jose Amilcar has made mistakes in his past, but those mistakes do not define the man he has become. Before his incarceration, he was working hard to turn his life around, holding steady employment, taking care of his family, and doing his best to set a positive example for his kids. I saw firsthand how much effort he was putting into creating a better future for himself and his children.

He deserves a second chance, not only for himself but for the family who loves and depends on him. Deporting him would devastate his children and tear apart a family that has already suffered enough. In today's world, where families are being separated far too often, I ask with all my heart that compassion and understanding be extended to Jose Amilcar. His children need their father, their provider, their role model, their superhero.

Jose Amilcar is not a danger to anyone. He is a man who stumbled but has shown remorse, growth, and a deep desire to make things right. He has been working toward becoming the best version of himself, and he should be given the opportunity to continue that journey surrounded by the family who loves and supports him.

Thank you so much for taking the time to read this letter and for considering the person behind this cas, a father, a son, and a family man who simply wants the chance to make things right and continue providing love and stability for his children.

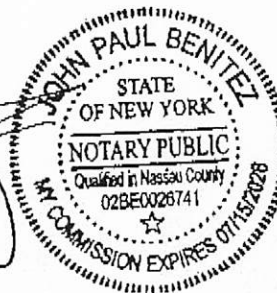
With deepest respect and sincerity,

Martha Isabel Benitez

STATE OF NEW YORK  
COUNTY OF NASSAU

Subscribed and sworn before me this  
14TH day of Nov, 2025

by MARTHA ISABEL BENITEZ



Honorable Immigration Judge Shana Chen,  
Executive Office of Immigration Review,  
625 Evans St., Elizabeth, NJ

Dear Honorable Immigration Judge,

My name is Jackeline Fernandez Martinez, stepdaughter of Jose Amilcar Benitez Castro. I am a U.S. citizen.

My family has been going through a tough time since ICE detained my siblings' dad. It's been hard on all of us in different ways. My mom has been extremely stressed, trying to balance working more hours to keep us stable. I can see how tired she is, and it hurts to watch her carry all that responsibility on her own. I try my best to help her out as much as I can.

My little sister still doesn't fully understand what's going on. She keeps asking when her dad is coming home, and it's heartbreaking because I don't know what to tell her. My brother tries to act like he's fine and doesn't really show his emotions, but I can tell he misses his dad a lot, too. For me, it's been overwhelming to see my family struggle like this. I don't like seeing my mom constantly stressed and worried. I wish I could take some of the pressure off her. I miss how things used to be before all of this happened.

We're trying our best to stay strong and support each other, but this situation has taken a toll on all of us.

Sincerely,  
Jackeline Fernandez

State of NY County of NASSAU  
Subscribed and sworn to (or affirmed) before me on this  
17 day of NOVEMBER, 2025 by  
JACKELINE FERNANDEZ proved to me on the basis  
of satisfactory evidence to be the person(s) who appeared before me.  
Notary Signature

GEORGINA NAVAS  
NOTARY PUBLIC, State of New York  
No. 01NA6358512  
Qualified in Nassau County  
Commission Expires 05-08-2029

Honorable Immigration Judge Shana Chen, Executive Office of Immigration Review, 625 Evans St.,

Elizabeth, NJ 07201

Dear Honorable Immigration Judge,

My name is Katherine Benitez, daughter of Jose Amilcar Benitez Castro. I am a U.S. citizen. Losing my dad this way has been one of the hardest things I have ever gone through. Words can't even express how much this has hurt me. I am completely distraught.

He has always been here for me since I was a little girl. I remember all the times he would take me out to the playgrounds or to get ice cream or just anything I always needed. He always made sure I had everything I need. He always wanted to make sure I was safe anywhere I go.

My little brother Andy has been super sad ever since my dad isn't with us anymore; he misses them practicing soccer together in the afternoons. My little sister Cynthia doesn't understand what's going on. She just asks and waits for our dad every night. She asks why he isn't here to take her to her school bus stop every morning. She also misses when our dad used to take her to the bakery every Sunday morning to pick out her favorite donut. And we all miss when he would come back and cook us breakfast or dinner together.

My dad is one of the most hardworking men I know. He has always tried his best to be a good person, a good father, and a good friend. I spent my birthday on November 3rd without him, and there was an empty spot at the dinner table. The loud and familiar voice we are used to hearing wasn't there. This has been a very difficult experience for my family.

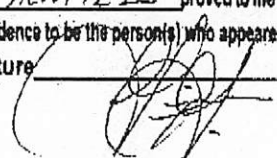
With the holidays coming up, I just wish he could be here with us like he always was. His birthday is next month as well, and it hurts to know he might spend it under these circumstances. As a senior, my biggest fear is that my dad won't be at my graduation, which is one of the most important moments for a parent and their child. I miss my dad every day, even the little things he used to do for me, like taking me to school or to my appointments.

I just hope to see my dad soon. My dad is not a harm to the community, and I believe he truly deserves a chance to stay here with us.

Sincerely,



Katherine Benitez.

State of NY County of NASSAU  
Subscribed and sworn to (or affirmed) before me on this  
17 day of NOVEMBER, 2025 by  
KATHERINE BENITEZ proved to me on the basis  
of satisfactory evidence to be the person(s) who appeared before me.  
Notary Signature 

GEORGINA NAVAS  
NOTARY PUBLIC, State of New York  
No. 01NA6358512  
Qualified in Nassau County  
Commission Expires 03-08-2029



**Spiro K. Tsirkas, MSW**

Executive Director

Glen Cove Youth Bureau and Recreation Department

**Spiro K. Tsirkas**  
City of Glen Cove  
9 Glen Street  
Glen Cove, New York 11542

**November 13, 2025**

The Honorable Immigration Judge  
Executive Office of Immigration Review  
201 Varick Street Room 507  
New York, New York 10014

**Re: Character Reference for Jose Amilcar Benitez Castro**

Your Honor,

My name is Spiro Tsirkas and I am the Executive Director of Youth Services for the City of Glen Cove. I am writing this letter to respectfully attest to the good character of Jose Castro and to ask for leniency as you consider his] case.

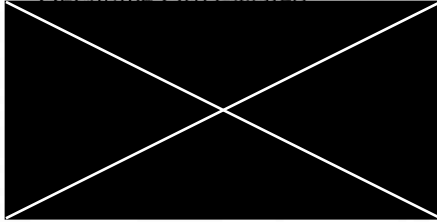
I have known Jose for 3 years, and during this time I have come to know him as a kind, honest, and hardworking individual. He has always been a devoted husband and a caring father. As a neighbor, he is among the first to offer help—whether, lending a hand during community events, or simply being someone people can count on.

In addition to being a valued member of our neighborhood, Jose has spent countless hours volunteering as a youth soccer coach. He has been a positive influence on many young people, teaching not only the skills of the game but also teamwork, respect, and perseverance. Parents in our community often speak about how much their children look up to him.

Jose has demonstrated a deep commitment to our community and to his family. I have no doubt that he poses no threat to anyone and that his presence greatly enriches those around him. It would be a tremendous loss to our neighborhood and to the children he mentors if he were not allowed to remain here.



Geraldine Ortiz-Mateo



11/13/2025

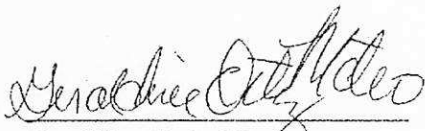
Executive Office of Immigration Review  
201 Varick St., #507  
New York, NY 10014  
Re: A#241 097 482

Dear Immigration Judge:


My name is Geraldine Ortiz-Mateo, a United States citizen, a friend of Mr. Jose Amilcar Benitez Castro and have known him for 7 years.

Mr. Jose is a very serviceable person, he is a friendly person, he is a great husband and a great father. He is the main support for his family, and if he were to leave the country, it would be very devastating for his family. He is a very responsible person, and hard-working individual. He never gets into trouble and always looks to give people a helping hand

I declare under penalty of perjury that the foregoing statement is true and correct to the best of my own personal knowledge.

  
Geraldine Ortiz-Mateo

Sworn to before me this 13 day of Nov. of 2025.

  
Notary Public

GEORGINA NAVAS  
NOTARY PUBLIC, State of New York  
No. 01NAG358512  
Qualified in Nassau County  
Commission Expires 05-08-2029

November.12, 2025

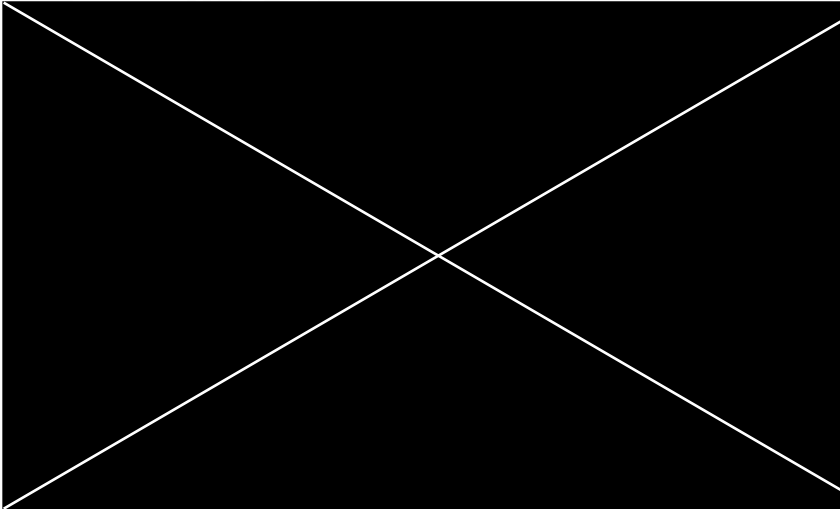
Honorable Immigration Judge Shana Chen,

Hello, my name is Maria Luz Villatoro. My date of birth is [REDACTED] I currently reside at [REDACTED] N.Y. I am a U.S Permanent. I want to take this time to express my feelings toward this hard situation Jose Amilcar Benitez Castro [REDACTED] is facing. I have always referred to him as a humble person, he is not the type of person that causes harm to the community. It is upsetting to see how a nice and respected family is facing this hard situation. I was truly shocked to find out he was obtained by U.S. Immigration and Customs Enforcement.

I have known Jose Amilcar for more than 12 years I have rented one of my properties to him and his family which they resided [REDACTED] I witnessed how great and supportive person he is, especially with the community and our church. I have always seen Jose Amilcar and his whole family at Sunday mass every week. I truly feel Jose Amilcar should be offered a chance to stay in the U.S, especially for his family's safety and financial support. Jose Amilcar has always been a respected hard worker. He should be given a chance to see his children grow and remain united as a family. I assure you if he is released, he will commit to all his future hearing with U.S. Immigration and Customs Enforcement. I ask for the court to give Jose Amilcar one more chance to make things right I know this will make a huge impact on Jose Amilcar and the way he will act in the future.

If there are any questions, I can be reached at my personal cell [REDACTED]  
Thank you for your time and have a nice day!

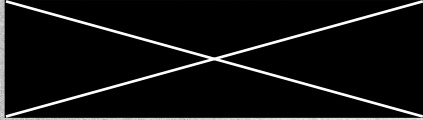
Sincerely,  
*Maria Villatoro*  
Maria L. Villatoro



State of New York  
County of Nassau  
Subscribed and sworn before me  
Maria Villatoro  
this 13<sup>th</sup> day of November  
in the year 2025

*Nicole J. Novak*  
NICOLE J. NOVAK  
Notary Public - State of New York  
No. 01ND6439239  
Qualified in Nassau County  
My Commission Expires August 22, 2026

Jessica J. Arqueta



November 14, 2025  
Honorable Immigration Judge Shana Chen  
Executive Office of Immigration Review  
625 Evans St., Elizabeth, NJ 07201

Reference Letter for Jose Amilcar Benitez Castro

Dear Immigration Judge,

I am truly privileged to write this reference letter for my uncle, Mr. Jose Amilcar Benitez Castro, whom I have had the joy of knowing for over twenty years. My name is Jessica J. Arqueta, I am a United States citizen, and a fifth-grade Dual Language teacher based in New York.

If I were to describe Mr. Benitez in a single word, it would be "hardworking." He immigrated to this country in pursuit of a better life for himself and his family. Despite the challenges posed by language barriers, he has successfully become a contributing citizen and has learned to communicate effectively in English. I have witnessed his journey as a devoted father to three wonderful children, and step-children whom he raises alongside his partner, Sandra. Jose Amilcar exemplifies a remarkable work ethic, evident in his dedication to fixing homes in our neighborhood and financially supporting his family. In addition to his industrious nature, he is incredibly kind and generous, actively giving back to the community through his local church.

Jose Amilcar and his family embody grace and respect, always greeting others with warmth and openness. This welcoming spirit has fostered a strong connection between our families, leading to a close friendship among our children. I am deeply thankful for the unwavering support we consistently receive from the Bentiez family.

I was saddened to learn of his recent arrest. Our friends and family respectfully ask that you consider providing him with the opportunity to remain present in the lives of his children and continue supporting them during this difficult time.

We appreciate your time and understanding, and we hope you will take this request into thoughtful consideration.

Best regards,


Jessica J. Arqueta

State of NY County of NASSAU  
Subscribed and sworn to (or affirmed) before me on this  
17 day of NOVEMBER, 2025 by  
JESSICA J. ARGUETA proved to me on the basis  
of satisfactory evidence to be the person(s) who appeared before me.  
Notary Signature

GEORGINA NAVAS  
NOTARY PUBLIC, State of New York  
No. 01NA6358512  
Qualified in Nassau County  
Commission Expires 05-08-2029

# EXHIBIT G

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IMMIGRATION COURT  
ELIZABETH, NEW JERSEY

\_\_\_\_\_  
IN THE MATTER OF: )  
 )  
 ) A#:   
 )  
**BENITEZ CASTRO, Jose Amilcar** )  
 )  
In Removal Proceedings )  
\_\_\_\_\_ )

**ORDER OF THE IMMIGRATION JUDGE**

Upon consideration of the Respondent's Motion for Bond Redetermination, it is HEREBY ORDERED that the motion be:

\_\_\_\_\_ GRANTED \_\_\_\_\_ DENIED because:

- \_\_\_\_\_ DHS does not oppose the motion.
- \_\_\_\_\_ The respondent does not oppose the motion.
- \_\_\_\_\_ A response to the motion has not been filed with the court.
- \_\_\_\_\_ Good cause has been established for the motion.
- \_\_\_\_\_ The Court agrees with the reasons stated in the opposition of the motion.
- \_\_\_\_\_ The motion is untimely per \_\_\_\_\_.
- \_\_\_\_\_ Other: \_\_\_\_\_

Deadlines:

\_\_\_\_\_ The application(s) for relief must be filed by \_\_\_\_\_.  
\_\_\_\_\_ The respondent must comply with DHS biometrics by \_\_\_\_\_.

\_\_\_\_\_ Date \_\_\_\_\_ Immigration Judge \_\_\_\_\_

Certificate of Service

This document was served by:  Mail  Personal Service  
To:  Alien  Alien c/o Custodial Officer  Alien's Atty/Rep  DHS  
Date: \_\_\_\_\_ By: Court Staff \_\_\_\_\_

Jose Amilcar BENITEZ CASTRO



**CERTIFICATE OF SERVICE**

I, Catherine E. Reilly, hereby certify that this document was electronically filed through ECAS and both parties are participating in ECAS. Therefore, no separate service was completed.

Delivered on this 26<sup>th</sup> day of December, 2025.

A handwritten signature in black ink, appearing to read 'C. E. Reilly', written over a horizontal line.

Catherine E. Reilly


**TAB C**

**Wednesday, December 31, 2025 at 15:59:31 Eastern Standard Time**

---

**Subject:** EOIR - BENITEZ CA - 482 - Service - Bond Reques PKG - RMV  
**Date:** Friday, December 26, 2025 at 4:41:05 PM Eastern Standard Time  
**From:** eRop@usdoj.gov  
**To:** Catherine Reilly

The Executive Office for Immigration Review (EOIR) has received an electronic upload of the documents referenced below. EOIR is evaluating these documents for inclusion into the electronic Record of Proceeding (eROP). EOIR will notify you upon completion of the evaluation process.

- eFiled Document Name: Jose Benitez Castro\_Bond Redetermination FINAL 12.26.25.pdf
- Document Category: Bond Requests
- Document Sub Category: Bond Redetermination Request
- Uploaded On: 12/26/2025
- Additional Document(s) Name: N/A
- A-Number: 
- Alien Name: BENITEZ CASTRO, JOSE AMILCAR
- Bond Requested Date: 12/26/2025
- Case Type: RMV
- Other Information: N/A

The documents associated with this filing may be viewed as follows:

Individuals in immigration proceedings before EOIR may view the documents in the EOIR Respondent Access Portal at this [link](#). A valid User ID and password are required for access.

Attorneys/Representatives may view the documents in the EOIR Case Portal at this [link](#). A valid User ID and password are required for access.

DHS users may view the documents in the EOIR DHS Portal at this [link](#).

**TAB D**

Wednesday, December 31, 2025 at 16:02:28 Eastern Standard Time

**Subject:** EOIR - BENITEZ CA - 482 - Accepted - Bond Requests - RMV  
**Date:** Monday, December 29, 2025 at 8:38:04 AM Eastern Standard Time  
**From:** eRop@usdoj.gov  
**To:** Catherine Reilly

The Executive Office for Immigration Review (EOIR) has reviewed and approved your uploaded document. The following document is now included in the electronic Record of Proceedings (eROP):

- eFiled Document Name: RiveraC[REDACTED]001\_Initiation.pdf
- Document Category: Bond Requests
- Document Sub Category: Bond Redetermination Request
- Uploaded On: 12/29/2025
- Tracking Number: [REDACTED]
- A-Number: [REDACTED]
- Alien Name: BENITEZ CASTRO, JOSE AMILCAR
- Bond Requested Date: 12/29/2025
- Case Type: RMV
- Other Information: N/A

Individuals in immigration proceedings before EOIR may view the documents in the EOIR Respondent Access Portal at this [link](#). A valid User ID and password are required for access.

Attorneys/Representatives may view the documents in the EOIR Case Portal at this [link](#). A valid User ID and password are required for access.

DHS users may view the documents in the EOIR DHS Portal at this [link](#).

# TAB E

Wednesday, December 31, 2025 at 16:03:24 Eastern Standard Time

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**Subject:** EOIR - BENITEZ CA - 482 - Entered - Notices - RMV  
**Date:** Monday, December 29, 2025 at 8:40:04AM Eastern Standard Time  
**From:** eRop@usdoj.gov  
**To:** Catherine Reilly  
**Attachments:** [REDACTED].pdf

The Executive Office for Immigration Review (EOIR) has uploaded the following document in the electronic Record of Proceedings (eROP).

- eFiled Document Name: F:\Notices\CASE\Notices\RiveraC\_2751621D-D922-DFBA-F01FACD84F2FA679\_noticefile.pdf
- Document Category: Notices
- Document Sub Category: CASE Notice
- Uploaded On: 12/29/2025
- Tracking Number: [REDACTED]
  
- A-Number: [REDACTED]
- Alien Name: BENITEZ CASTRO, JOSE AMILCAR
- Bond Requested Date: 12/29/2025
- Case Type: RMV

Individuals in immigration proceedings before EOIR may view the documents in the EOIR Respondent Access Portal at this [link](#). A valid User ID and password are required for access.

Attorneys/Representatives may view the documents in the EOIR Case Portal at this [link](#). A valid User ID and password are required for access.

DHS users may view the documents in the EOIR DHS Portal at this [link](#).

IMMIGRATION COURT  
625 EVANS STREET, ROOM 148A  
ELIZABETH, NJ 07201

Reilly Immigration Law, PLLC  
Reilly, Catherine Elizabeth  
3 World Trade Center  
175 Greenwich St., 38th Floor  
New York, NY 10007

FILE:



RE: BENITEZ CASTRO, JOSE AMILCAR

NOTICE OF CUSTODY REDETERMINATION HEARING IN IMMIGRATION PROCEEDINGS

PLEASE TAKE NOTE THAT THE ABOVE CAPTIONED CASE HAS BEEN  
SCHEDULED FOR A CUSTODY REDETERMINATION HEARING BEFORE THE  
IMMIGRATION COURT ON Dec 30, 2025 AT 1:00 P.M. AT THE FOLLOWING ADDRESS:

625 EVANS STREET  
ELIZABETH, NJ 07201

YOU MAY BE REPRESENTED IN THIS PROCEEDING, AT NO EXPENSE TO THE GOVERNMENT, BY  
AN ATTORNEY OR OTHER INDIVIDUAL AUTHORIZED AND QUALIFIED TO REPRESENT PERSONS  
BEFORE AN IMMIGRATION COURT. IF YOU WISH TO BE REPRESENTED, YOUR ATTORNEY  
OR REPRESENTATIVE SHOULD APPEAR WITH YOU AT THIS HEARING.

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CERTIFICATION OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL  PERSONAL SERVICE  ELECTRONIC SERVICE   
TO:  ALIEN  ALIEN c/o Custodial Officer  ALIEN's ATT/REP  DHS  
DATE: 12/29/25 BY: COURT STAFF CR  
Attachments:  EOIR-33  EOIR-28  Legal Services List  Other

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U7


# TAB F

Wednesday, December 31, 2025 at 16:18:54 Eastern Standard Time

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**Subject:** EOIR - BENITEZ CA - 482 - Rejected - Bond Requests - RMV  
**Date:** Monday, December 29, 2025 at 10:28:19AM Eastern Standard Time  
**From:** eRop@usdoj.gov  
**To:** Catherine Reilly, Catherine Reilly  
**Attachments:** 20251226213947824\_241097482.pdf

The Executive Office for Immigration Review (EOIR) has reviewed and rejected the document referenced below. This document will not be added to the electronic Record of Proceedings (eROP). Please refer to the Rejection Reasons listed below and in the attached Rejected Filing Notice, for detailed information.

- eFiled Document Name: Jose Benitez Castro\_Bond Redetermination FINAL 12.26.25.pdf
- Document Category: Bond Requests
- Document Sub Category: Bond Redetermination Request
- Uploaded On: 12/26/2025
- Additional Document(s) Name: N/A
- A-Number: 
- Alien Name: BENITEZ CASTRO, JOSE AMILCAR
- Bond Requested Date: 12/26/2025
- Case Type: RMV

Rejection Reasons:

- Rejection Reason Not Found (Other)

Rejection Explanation: Bond proceeding is already pending before the court.



UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
IMMIGRATION COURT

Respondent Name:  
BENITEZ CASTRO, JOSE AMILCAR

A-Number:

Address:

REJECTION NOTICE  
  
Date: 12/29/2025

REJECTED FILING  
NOTICE TO ATTORNEY OR REPRESENTATIVE

This notice is to inform you that the document(s) received by the Immigration Court on 12/26/2025 is/are being rejected for the reasons given below. When re-filing the corrected document(s) other than initiation documents, please attach this rejection notice. A copy of the corrected filing must also be served on the opposing party.

Document(s) being rejected:  
Jose Benitez Castro\_Bond Redetermination FINAL 12.26.25.pdf

Rejection Reason(s)  
1. Rejection Reason Not Found (Other)

Rejection Explanation:  
Bond proceeding is already pending before the court.

Certificate of Service

This document was served:  
Via:  Mail  Personal Service  Electronic Service  
To:  Alien  Alien c/o custodial officer  Alien's atty/rep.  DHS  
By: RodriguCi,  Court Staff  Immigration Judge  
Date: 12/29/2025

**TAB G**

Wednesday, December 31, 2025 at 16:21:57 Eastern Standard Time

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**Subject:** EOIR - BENITEZ CA - 482 - Service - Motions - RMV  
**Date:** Monday, December 29, 2025 at 11:19:04 AM Eastern Standard Time  
**From:** eFiling-DHSPortal@usdoj.gov  
**To:** Catherine Reilly, Catherine Reilly

The Executive Office for Immigration Review (EOIR) has received an electronic upload of the document referenced below. EOIR is evaluating this document for inclusion into the electronic Record of Proceedings (eROP). EOIR will notify you upon completion of the evaluation process.

- eFiled Document Name: Jose Benitez Castro\_Bond Redetermination FINAL 12.26.25\_resubmission.pdf
- Document Category: Motions
- Document Sub Category: Other Motion
- Uploaded On: 12/29/2025
- Tracking Number: [REDACTED]
- A-Number: [REDACTED]
- Alien Name: BENITEZ CASTRO, JOSE AMILCAR
- Bond Requested Date: 12/29/2025
- Case Type: RMV
- Other Information: N/A

The documents associated with this filing may be viewed as follows:

Individuals in immigration proceedings before EOIR may view the documents in the EOIR Respondent Access Portal at this [link](#). A valid User ID and password are required for access.

Attorneys/Representatives may view the documents in the EOIR Case Portal at this [link](#). A valid User ID and password are required for access.

DHS users may view the documents in the EOIR DHS Portal at this [link](#).

# TAB H

Wednesday, December 31, 2025 at 16:26:00 Eastern Standard Time

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**Subject:** EOIR - BENITEZ CA - 482 - Accepted - Supplemental Ev - RMV  
**Date:** Tuesday, December 30, 2025 at 1:57:07 PM Eastern Standard Time  
**From:** eRop@usdoj.gov  
**To:** Mark.Wasef@ice.dhs.gov, Catherine Reilly

The Executive Office for Immigration Review (EOIR) has reviewed and approved your uploaded document. The following document is now included in the electronic Record of Proceedings (eROP):

- eFiled Document Name: 20251204122001797\_241097482\_Supporting.pdf
- Document Category: Supplemental Evidence
- Document Sub Category: Evidence
- Uploaded On: 12/30/2025
- Tracking Number: [REDACTED]
- A-Number: [REDACTED]
- Alien Name: BENITEZ CASTRO, JOSE AMILCAR
- Bond Requested Date: 12/29/2025
- Case Type: RMV
- Other Information: Detained

Individuals in immigration proceedings before EOIR may view the documents in the EOIR Respondent Access Portal at this [link](#). A valid User ID and password are required for access.

Attorneys/Representatives may view the documents in the EOIR Case Portal at this [link](#). A valid User ID and password are required for access.

DHS users may view the documents in the EOIR DHS Portal at this [link](#).

# TAB I

**Wednesday, December 31, 2025 at 16:50:31 Eastern Standard Time**

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**Subject:** EOIR - BENITEZ CA - 482 - Accepted - Motions - RMV  
**Date:** Tuesday, December 30, 2025 at 2:28:13 PM Eastern Standard Time  
**From:** eRop@usdoj.gov  
**To:** Catherine Reilly, Catherine Reilly

The Executive Office for Immigration Review (EOIR) has reviewed and approved your uploaded document. The following document is now included in the electronic Record of Proceedings (eROP):

- eFiled.Document Name: Jose Benitez Castro\_Bond Redetermination FINAL 12.26.25\_resubmission.pdf
- Document Category: Motions
- Document Sub Category: Other Motion
- Uploaded On: 12/29/2025
- Tracking Number: [REDACTED]
- A-Number: [REDACTED]
- Alien Name: BENITEZ CASTRO, JOSE AMILCAR
- Bond Requested Date: 12/29/2025
- Case Type: RMV
  
- Other Information: N/A

Individuals in immigration proceedings before EOIR may view the documents in the EOIR Respondent Access Portal at this [link](#). A valid User ID and password are required for access.

Attorneys/Representatives may view the documents in the EOIR Case Portal at this [link](#). A valid User ID and password are required for access.

DHS users may view the documents in the EOIR DHS Portal at this [link](#).

**TAB J**



UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
ELIZABETH IMMIGRATION COURT

Respondent Name:

BENITEZ CASTRO, JOSE AMILCAR

To:

Reilly, Catherine Elizabeth  
3 World Trade Center  
175 Greenwich St., 38th Floor  
New York, NY 10007

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

11/20/2025

ORDER OF THE IMMIGRATION JUDGE

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

- Denied, because  
Respondent entered without inspection and is present in the United States without admission. Under Matter of Yajure Hurtado, the respondent is ineligible for bond.
  
- Granted. It is ordered that Respondent be:
  - released from custody on his own recognizance.
  - released from custody under bond of \$
  - other:
  
- Other:



Immigration Judge: Finston, Leo 11/20/2025

Appeal: Department of Homeland Security:  waived  reserved  
Respondent:  waived  reserved  
Appeal Due: 12/22/2025

### Certificate of Service

This document was served:

Via: [ M ] Mail | [ P ] Personal Service | [ E ] Electronic Service | [ U ] Address Unavailable

To: [ ] Alien | [ ] Alien c/o custodial officer | [ E ] Alien atty/rep. | [ E ] DHS

Respondent Name : BENITEZ CASTRO, JOSE AMILCAR | A-Number :



Riders:

Date: 11/20/2025 By: MUNOZ, ISSAYANA, Court Staff

**TAB K**



UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
ELIZABETH IMMIGRATION COURT

Respondent Name:

BENITEZ CASTRO, JOSE AMILCAR

To:

Reilly, Catherine Elizabeth  
3 World Trade Center  
175 Greenwich St., 38th Floor  
New York, NY 10007

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

12/04/2025

**ORDER OF THE IMMIGRATION JUDGE**

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

- Denied, because  
Respondent entered without inspection and is present in the United States without admission. Under Matter of Yajure Hurtado, the respondent is ineligible for bond.
- Granted. It is ordered that Respondent be:
- released from custody on his own recognizance.
  - released from custody under bond of \$
  - other:
- Other:  
In the alternative, would deny on grounds of danger to the community.



Immigration Judge: Chen, Shana 12/04/2025

Appeal: Department of Homeland Security:  waived  reserved  
Respondent:  waived  reserved

Appeal Due: 01/05/2026

### Certificate of Service

This document was served:

Via:  Mail |  Personal Service |  Electronic Service |  Address Unavailable

To:  Alien |  Alien c/o custodial officer |  Alien atty/rep. |  DHS

Respondent Name : BENITEZ CASTRO, JOSE AMILCAR | A-Number :



Riders:

Date: 12/04/2025 By: MUNOZ, ISSAYANA, Court Staff