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**Pro hac vice motion granted*

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA**

Da SILVA MARTINS, Victor Emmanuel)
)
Petitioner,)

v.)

Kristi NOEM, Secretary, Department)
of Homeland Security; Pam BONDI,)
Attorney General of the United States;)
Todd LYONS, Acting Director of)
Immigration and Customs Enforcement;)
Kristen Sullivan Immigration and Customs)
Enforcement Acting Field Office Director)
for Georgia; Warden, Folkston ICE)
Processing Centre (Annex), Folkston,)
Georgia.)

Respondents.)

Civil Case No.:
5:25-cv-00152-LGW-BWC

**Reply in Support of Petition
For Writ of Habeas Corpus
Under 28 U.S.C. § 2241**

On November 14, 2025, Petitioner filed a petition for a writ of habeas corpus, seeking release as his detention was based solely on the government's new and illegal interpretation of 8 U.S.C. § 1225 or, in the alternative, an order requiring a bond hearing under 8 U.S.C. § 1226(a). On November 17, 2025, the Court ordered the government to show cause why Mr. Da Silva Martins should not be granted relief similar to the plaintiffs in *Villa v. Normand*, No. 5:25-cv-89, 2025 WL 3095969 (S.D. Ga. Nov. 4, 2025), *report and recommendation adopted*, 2025 WL 3188406 (S.D. Ga. Nov. 14, 2025). On November 24, 2025, Respondents' Reply admitted that this instant case constitutes a similar legal challenge to *Villa* and would be controlled by *Villa* unless the court amends its ruling. *See* ECF No. 9 at 2.

Petitioner agrees that this case raises the same issue that were analyzed and determined by the Court in *Villa*, and that the petition can be decided on the same ground. The Court should also grant the petition in light of the declaratory judgment entered in a nationwide class action in the Central District of California on the issue. *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, --- F. Supp. 3d , 2025 WL 3289861, at *11 (C.D. Cal. Nov. 20, 2025) (order granting partial summary judgment to named Plaintiffs-Petitioners); *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) (order certifying Plaintiffs-Petitioners' proposed nationwide Bond Eligible Class, incorporating and extending declaratory judgment from Order Granting Petitioners' Motion for Partial Summary Judgment).

Accordingly, and for the reasons raised in the petition and addressed in numerous cases decided by this Court, the Court should grant this petition and order Petitioner's immediate release or, in the alternative, order that the immigration court conduct a bond hearing within 7 days under 8 U.S.C. § 1226(a).

Dated: December 5, 2025

Respectfully submitted,

/s/ Kerry E. Doyle

Kerry E. Doyle, Esq. *

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CERTIFICATE OF SERVICE

I hereby certify that on 12/5/2025, I filed the foregoing Reply with the Clerk of the Court using the CM/ECF system, which will send a notification of such filing to all parties.

/s/ Kerry E. Doyle

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