UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

MIGUEL HERNANDEZ, Petitioner, vs. DENNIS UDZINSKI, *in his official capacity as Warden of Hall County Jail*; and LADEON FRANCIS, *ICE Atlanta Field Office Director*; and TODD LYONS, *in his official capacity as Acting Director of Immigration and Customs Enforcement*; and KRISTI NOEM, *Secretary of Homeland Security*) And PAMELA BONDI, *U.S. Attorney General.* Respondents.	CASE NO.: 2:25-cv-00373-RWS

MOTION TO ENFORCE JUDGEMENT
OR ALTERNATIVELY, TO SHOW CAUSE RE CONTEMPT

Petitioner, Miguel Hernandez, through undersigned counsel, respectfully moves this Court to enforce its Order of November 24, 2025 [ECF Dkt. 10]. In that Order, this Court granted Petitioner's Motion for a Temporary Restraining Order and Preliminary Injunctive Relief, directing Respondents to provide Petitioner with an individualized bond hearing pursuant to 8 U.S.C. § 1226(a) within seventy-two (72) hours. The Court further enjoined

Respondents from rearresting Petitioner unless he committed a new violation of law or failed to attend a properly noticed hearing.

I. INTRODUCTION AND BACKGROUND

Pursuant to the Court's Order, an Immigration Judge conducted a bond hearing, determined that Petitioner was neither a flight risk nor a danger to the community, and ordered his release without conditions upon the posting of a $5,500 bond. Exhibit 1. On Wednesday, November 26, 2025, Petitioner's family posted the bond, but due to government delays, he was not released from custody until Friday, November 28, 2025.

Subsequently, in direct contravention of this Court's Order, U.S. Immigration and Customs Enforcement ("ICE") compelled Petitioner to appear at its office on December 2, 2025, and without explanation or justification, ICE imposed new, highly restrictive, and onerous conditions of release on Petitioner, including mandatory GPS ankle monitoring and enrollment in the Intensive Supervision Appearance Program ("ISAP"). These unilateral actions by ICE constitute de facto re-detention and a violation of the Court's clear mandate. This motion seeks immediate enforcement of the Court's Order and relief from these unlawful conditions.

II. FACTUAL ALLEGATIONS SUPPORTING ENFORCEMENT

On November 24, 2025, this Court issued an Order granting Petitioner's motion for a temporary restraining order and preliminary injunctive relief. The Order mandated that Respondents provide Petitioner with an individualized bond hearing pursuant to 8 U.S.C. § 1226(a) within seventy-two (72) hours. Crucially, the Court also explicitly enjoined Respondents "from rearresting Petitioner, unless he has committed a new violation of any federal, state, or local law, or has failed to attend any properly noticed immigration or court hearing or is subject to detention pursuant to a final order of removal." [ECF Dkt. 10].

In compliance with this Court's directive, an Immigration Judge conducted a bond hearing, determined that Petitioner was not a flight risk or a danger to the community, and authorized his release upon the posting of a $5,500 bond. Exhibit 1. Critically, the Immigration Judge's order did not include an ankle monitoring device or any other conditions of release. The only condition imposed by the IJ was posting of the $5,500 bond to assure his appearance in future hearings.

On Wednesday, November 26, 2025, Petitioner's family posted the bond, and due to a delay of release by ICE, he was only released from physical custody on Friday, November 28, 2025.

Thereafter, however, in defiance of this Court's clear Order, Respondents immediately sought to impose their own extra-judicial conditions. On December 1, 2025, Petitioner received a "call in letter" compelling him to report to an ICE office in Norcross. Exhibit 2. He complied and appeared as ordered on December 2, 2025. At that meeting, without any allegation of a new offense, a missed hearing, or any other material change in circumstances that would justify a re-arrest under the Court's Order, ICE officials (or contractors) unilaterally placed Petitioner on a GPS ankle monitor and enrolled him in the Intensive Supervision Appearance Program (ISAP). Exhibit 3 (only the first page is included).

The unilaterally imposed revised release conditions, which were not in place prior to Petitioner's unlawful arrest and detention under 8 U.S.C. §1225(b)(2), include frequent home visits and ICE check-ins, an ankle monitor that requires Petitioner to sleep with a battery attached every night, and a requirement that he not leave a specific geographic radius. These conditions are very burdensome for Petitioner while he is working and performing very basic movements.

Petitioner now constantly has trouble sleeping because the ankle monitor is hurting his ankle due to the heavy weight of the monitor. He has not been able to walk well or walk long distances or even be on his feet for long periods of time due to pain from the device. He cannot work with the ankle

monitor because he works in landscaping, a job that requires constant movement as well as bending, kneeling, crouching, lifting heavy weight and being on his feet all day. He additionally has difficulty performing hygiene as the ankle monitor hinders his mobility. This causes him trouble maintaining his home and performing basic house and work duties.

On December 5, 2025, Petitioner was called for another ISAP meeting at 9:00 AM. In the meeting, he had his Mexican passport taken, again, without authority. That is his sole method of identification.

Most importantly, none of these conditions are necessary given that Petitioner poses no risk of flight or danger and has been in the country for over two decades. Additionally, these highly restrictive conditions, which include constant electronic surveillance and significant limitations on his freedom of movement, were not part of the Immigration Judge's bond order. Thus, they constitute a severe restraint on liberty and a form of "custody" that effectively functions as a re-detention. *See Orellana Juarez v. Moniz*, 788 F. Supp. 3d 61, 67-68 (D. Mass. 2025) (finding that conditions such as 24/7 GPS monitoring, curfews, geographic restrictions, and home visits are significant compromises on an individual's liberty that are analogous to parole and satisfy the "in custody" requirement for habeas relief).

Notably, Petitioner's new release conditions are consistent with, and were likely imposed, based on a new ICE policy to inflict onerous release

conditions on all ISAP participants, including ankle monitors, in nearly all cases, regardless of individualized risk factors necessitating this increased level of monitoring. *See* Douglas MacMillan & Silvia Foster-Frau, *ICE Moves to Shackle Some 180,000 Immigrants with GPS Ankle Monitors*, Wash. Post (July 24, 2025), https://www.washingtonpost.com/immigration/2025/07/24/ice-check-in-ankle-monitor-immigrants/ (Exhibit 4). This article reported about a June 9, 2025, Helland memo from ICE to ISAP contractors directing that they place ankle monitors on all people enrolled in ISAP "whenever possible", without individualized risk assessment, possibly in an attempt to make everyday life for individuals like Petitioner as miserable and difficult as possible. Exhibit 5. This memo was not published anywhere but obtained through a Freedom of Information Act (FOIA) litigation by the RFK Human Rights and Nationalities Service Center.

Here, Respondents impermissibly added onerous conditions on Petitioner's release beyond the sole condition contemplated by this Court's Order, that he be released pursuant to a bond order by an Immigration Judge, or that he be released outright within 72 hours of the Court's order without further conditions of release. Respondents' actions were taken in direct contravention of the Court's injunction against Petitioner's re-arrest or detention absent specific, new triggering events, none of which have occurred. Undersigned counsel has attempted to address this issue directly with AUSA

DeCinque (counsel for Respondents) but has, so far, been unsuccessful. *See infra*, Section VI.

III. LEGAL STANDARD FOR ENFORCEMENT AND CONTEMPT

A federal court possesses the inherent authority to enforce its own orders and ensure compliance with its judgments. This power is essential to protect the integrity of the judicial process and prevent litigants from nullifying judicial decrees through unilateral action.

Additionally, where a party fails to comply with a court order, the court may exercise its authority to hold that party in civil contempt. A court may find a party in civil contempt where the moving party establishes by clear and convincing evidence: (1) the existence of a clear and unambiguous court order; (2) the alleged contemnor had knowledge of and was bound by the order; and (3) the alleged contemnor failed to comply with the order. This Court's order at ECF Dkt. 10 is a valid, enforceable order and unambiguous.

In the specific context of immigration bond proceedings, this authority is critical. An agency is not free to impose supplementary conditions that circumvent or nullify an order from an Immigration Judge or a federal court. The regulatory framework governing bond proceedings is sequential, delegating authority to Immigration Judges to redetermine custody conditions *initially* set by ICE. *See Orellana Juarez v. Moniz*, 788 F. Supp. 3d at 69; *N-N- v. McShane*, No. 25-5494, 2025 WL 3143594, at *2 (E.D. Pa. Nov. 10, 2025).

In Petitioner's case, ICE incarcerated him and refused his release. Then this Court ordered that Petitioner receive a bond hearing before an Immigration Judge. Once an Immigration Judge has exercised his or her authority to redermine custody and set the conditions of release, ICE cannot unilaterally impose additional, more restrictive conditions. *Orellana Juarez*, 788 F. Supp. 3d at 69 (holding that ICE cannot unilaterally impose additional, more restrictive conditions after an Immigration Judge has ordered release on bond, as doing so would "render the AG's delegation to an IJ meaningless, and would defeat the purpose of having a knowledgeable, neutral third party review the appropriateness of a noncitizen's detention"). To permit ICE to do so would "render the AG's delegation to an IJ meaningless, and would defeat the purpose of having a knowledgeable, neutral third party review the appropriateness of a noncitizen's detention." *Id.*

Under the *Accardi* doctrine, federal agencies are required to follow their own binding regulations. *United States ex rel. Accardi v. Shaughnessy*, 347 U.S. 260, 268 (1954). The proper recourse for ICE, if it disagrees with an Immigration Judge's bond determination, is to appeal to the Board of Immigration Appeals. *See* 8 C.F.R. § 1003.19(f); *N-N- v. McShane*, 2025 WL 3143594, at *3. Imposing extra-judicial conditions like GPS monitoring after a judicial bond order has been entered is a failure to follow this established process and violates the noncitizen's due process rights. *N-N- v. McShane*, 2025

WL 3143594, at 4. Further, such conditions constitute a form of "custody" sufficient to trigger habeas relief and raise serious constitutional concerns when imposed indefinitely without judicial review. *Orellana Juarez*, 788 F. Supp. 3d at 67-68, 70. In Petitioner's case, the Department of Homeland Security ("DHS") waived appeal of the Immigration Judge's bond order (Exhibit 1, page 2), which make this imposition of new conditions all the more inappropriate.

IV. EXCEEDING COURT'S ORDER AND VIOLATING DUE PROCESS

Respondents' actions are in flagrant violation of this Court's November 24, 2025 Order. The Order explicitly enjoined Respondents from "rearresting Petitioner" absent specific triggering events, such as the commission of a new crime or failure to attend a hearing. The unilateral imposition of GPS ankle monitoring and mandatory enrollment in ISAP constitutes a "re-detention" or, at a minimum, a form of "custody" that significantly compromises Petitioner's liberty. As the court found in *Orellana Juarez*, 788 F. Supp. 3d 61, such conditions—including 24/7 GPS monitoring, geographic restrictions, curfews, and home visits—are analogous to parole and are sufficient to meet the "in custody" requirement for habeas relief. By imposing these severe restraints on Petitioner's freedom without any of the predicate conditions outlined in the

Court's Order, Respondents have effectively and unlawfully circumvented the Order's clear prohibition.

Next, the regulatory framework governing bond proceedings does not permit ICE to supplement or override an Immigration Judge's custody determination. The process is sequential: ICE makes an initial custody decision, which the noncitizen can then challenge before an Immigration Judge who has delegated authority to redetermine the conditions of release. *See N-N- v. McShane*, No. 25-5494, 2025 WL 3143594, at 2; 8 C.F.R. § 1236.1(d)(1). Once the Immigration Judge has ruled, ICE's authority is superseded. If ICE disagreed with the $5,500 bond or believed additional conditions were necessary, its sole administrative remedy was to appeal the decision to the Board of Immigration Appeals ("BIA")—ICE waived any appeal in Petitioner's case. Exhibit 1, page 2. *See* 8 C.F.R. § 1003.19(f); *N-N-*, 2025 WL 3143594, at 3. Respondents waived appeal, yet they chose to disregard the Immigration Judge's order and this Court's judicial order to impose their own preferred conditions. Permitting ICE to do so "would be to render the AG's delegation to an IJ meaningless, and would defeat the purpose of having a knowledgeable, neutral third party review the appropriateness of a noncitizen's detention." *Orellana Juarez*, 788 F. Supp. 3d at 69.

The very purpose of a bond is to reasonably assure the appearance of the defendant. *See* 25 C.F.R. § 11.310(a). Here, the Immigration Judge, after a full

hearing where Respondents had the opportunity to present evidence and argument, determined that a $5,500 bond was sufficient to mitigate any flight risk and ensure Petitioner's appearance at future proceedings. ICE's subsequent imposition of GPS monitoring and ISAP—measures also aimed at preventing flight—is a redundant and punitive action that improperly substitutes the agency's judgment for that of the Immigration Juge. The Immigration Judge already weighed the evidence and found the bond adequate. ICE cannot now, without new facts or a successful appeal, decide that the judicial determination was insufficient and impose its own, more onerous conditions.

Further, by ignoring the established administrative appeal process, Respondents have violated their own binding regulations, running afoul of the *Accardi* doctrine. *N-N-*, 2025 WL 3143594, at 4. This failure to adhere to established procedures implicates Petitioner's fundamental liberty interests and thus violates his right to due process under the Fifth Amendment. *Id.* "Freedom from imprisonment—from government custody, detention, or other forms of physical restraint—lies at the heart of the liberty that [the Due Process] Clause protects." *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). Subjecting Petitioner to indefinite electronic surveillance and supervision, removable only at ICE's discretion, after the Immigration Juge already ordered his release on specific financial terms, raises precisely the "serious

constitutional problem" the Supreme Court warned against. *Id.* Respondents' actions are an unlawful attempt to exercise detention authority that was explicitly limited by this Court and properly adjudicated by an Immigration Judge.

Related, alternative to detention ("ATD") programs adopted by ICE derive from Congress's grant of authority to ICE to require final order aliens who are released from ICE custody "to obey reasonable written restrictions on the alien's conduct or activities that [ICE] prescribes for the alien." Immigration and Nationality Act ("INA") § 241(d)(3)(D), 8 U.S.C. § 1231(D)(3)(D); *see Nguyen v. B.I. Inc.*, 435 F.Supp.2d 1109, 1112 (D. Or. 2006) ("Congress appropriated $3 million to ICE in 2003, to develop "supervised release" programs as alternatives to detention for final-order aliens considered likely to abscond or to pose a threat to public safety.") (emphasis added). That reasoning does not easily apply to individuals like Petitioner who do not have final removal orders and are in the beginning of their removal process.

The conditions imposed by ICE—constant GPS surveillance, geographic restrictions, and mandatory check-ins—are severe restraints on liberty. As the court in *Orellana Juarez*, 788 F. Supp. 3d at 67-68, recognized, such conditions are analogous to parole and are more than sufficient to classify an individual as "in custody" for purposes of habeas review. While these conditions satisfy the "in custody" requirement for habeas corpus, as will be explained below,

more to the point, they also function as a *de facto* re-arrest in direct violation of this Court's Order. The very restraints on liberty that courts recognize as "custody" are, in this context, the functional equivalent of the re-arrest this Court explicitly forbade. Respondents cannot be permitted to accomplish through "supervision" what the Court's Order directly prohibits them from doing through formal arrest.

Even though Petitioner is not incarcerated, he is still "in custody" for the purposes of the habeas statute at 28 U.S.C. § 2241, because he is subject to conditions and significant constraints on his liberty, which suffices for "in custody" requirement. The "in-custody" requirement is construed "very liberally." *Clements v. Florida*, 59 F.4th 1204, 1213 (11th Cir. 2023) (quoting *Howard v. Warden*, 776 F.3d 772, 775 (11th Cir. 2015)). There are countless authorities on the matter, including for example, two binding authorities from the 11th circuit, *Romero v. Sec'y, U.S. Dep't of Homeland Sec.*, 20 F.4th 1374, 1379 (11th Cir. 2021) (A non-detained foreign national subject to pre-deportation supervision and removal was "in custody" as described in 28 U.S.C. § 2241); *see* also *U. S. ex rel. Marcello v. Dist. Dir. of Immigr. & Naturalization Serv., New Orleans, La.*, 634 F.2d 964, 971 n. 11 (5th Cir. 1981) (finding that a noncitizen subject to pre-deportation supervision and a deportation order was "in custody" as required by 28 U.S.C. § 2241). Therefore, the custody requirement is not only satisfied by showing that a petitioner is in physical

custody, but it can also be satisfied where a petitioner identifies "'a significant restraint'" on individual liberty that is not shared by the general public." *Whitfield v. United State Secretary of State*, 853 F. App'x 327, at 329 (11th Cir. 2021) (quoting *Howard v. Warden*, 776 F.3d 772, 775 (11th Cir. 2015)).

In *Hensley v. Mun. Ct.*, 411 U.S. 345, 351 (1973), the Supreme Court explained that the "custody requirement of the habeas corpus statute is designed to preserve the writ of habeas corpus as a remedy for severe restraints on individual liberty." 411 U.S. at 351. The Court found that petitioner was in custody because he was subject to restraints on his liberty such that he could not "come and go as he pleas[ed]," and these restraints are not "shared by the general public." *Whitfield*, 853 F. App'x at 329 (quoting *Howard v. Warden*, 776 F.3d 772, 775 (11th Cir. 2015)).

V. CONTEMPT OF COURT

Respondents' actions constitute a willful and direct contempt of this Court's clear and unambiguous Order of November 24, 2025. That Order explicitly enjoined Respondents "from rearresting Petitioner, unless he has committed a new violation of any federal, state, or local law, or has failed to attend any properly noticed immigration or court hearing". The unilateral imposition of GPS ankle monitoring and mandatory enrollment in the ISAP is a form of "custody" and a de facto re-detention that severely restrains Mr. Hernandez's liberty. As established in *Orellana Juarez*, 788 F. Supp. 3d at

68, such conditions are significant compromises on an individual's freedom and are not mere administrative formalities. Respondents imposed these custodial conditions without any allegation that Mr. Hernandez had committed a new offense or violated any other term of the Court's Order, thereby substituting their own judgment for that of both the Immigration Judge and this Court. This blatant disregard for a lawful judicial decree, especially when the proper recourse was to appeal the bond decision to the BIA, demonstrates a clear failure to comply with a known and binding order, which is the very definition of contempt.

VI. RESPONDENTS LACK JUSTIFICATION FOR THEIR ACTIONS

Undersigned counsel tried to contact attorney for Respondents prior to filing this motion in hopes that DHS recognizes its actions do not comport with the decision. The email response from AUSA DeCinque was as follows:

> Because the DHS released the respondent from actual physical detention, we find that he was "released from custody" within the meaning of 8 C.F.R. § 1236.1(d)(1). The conditions placed by the DHS on the respondent's release, including the home confinement and electronic monitoring device, constituted "terms of release" and were not "custody" within the meaning of section 236(a) of the Act and 8 C.F.R. § 1236.1(d)(1). Matter of Aguilar-Aquino, 24 I. & N. Dec. 747, 753 (BIA 2009).

The government wrongly contends that it may unilaterally impose custodial conditions beyond those ordered by an Immigration Judge. This position misinterprets the meaning of "custody," disregards the established

procedural framework for bond determinations, and relies on inapplicable case law.

First, the government's argument rests on a flawed and overly narrow definition of "custody." It attempts to create a distinction between "actual physical detention" and the severe restraints imposed by GPS ankle monitoring and the ISAP. Federal courts have rejected this distinction. *See* above-mentioned authorities from the Supreme Court and the 11th Circuit. In *Orellana Juarez*, 788 F. Supp. 3d at 67-68, the court found that conditions such as 24/7 GPS monitoring, geographic restrictions, curfews, and home visits are significant compromises on an individual's liberty that satisfy the "in custody" requirement for habeas relief. These are not mere "terms of release"; they are a form of government control analogous to parole, which has long been recognized as custody. Freedom from such "physical restraint" is at the core of the liberty protected by the Due Process Clause.

Second, the government's actions ignore the sequential and hierarchical nature of the bond determination process. As explained in *N-N- v. McShane*, No. 25-5494, 2025 WL 3143594, the regulatory scheme allows an Immigration Judge to review and redetermine ICE's initial custody decision. Once the Immigration Judge, exercising authority delegated by the Attorney General, has ordered release on specific terms, ICE cannot unilaterally impose additional, more restrictive. To permit ICE to do so would "render the

administrative adjudicatory process meaningless and superfluous". If the government believed the $5,500 bond was insufficient, its sole lawful recourse was to appeal the Immigration Judge's decision to the BIA, a step it chose not to take. By circumventing this established procedure, the government violated its own binding regulations, which is a violation of the *Accardi* doctrine and Mr. Hernandez's due process rights.

Finally, the government's reliance on *Matter of Aguilar-Aquino*, 24 I. & N. Dec. 747 (BIA 2009), is misplaced. As the court in *N-N- v. McShane* observed, the BIA in *Aguilar-Aquino* decided the case on narrow procedural grounds, specifically the noncitizen's failure to file a timely "application for amelioration" of release terms within the 7-day deadline to do so. The BIA explicitly stated that it did "not reach the DHS's alternative argument regarding the Immigration Judge's authority to set conditions beyond the establishment of a monetary bond". Therefore, *Aguilar-Aquino* does not stand for the proposition that ICE may supplement a judicial bond order. The subsequent federal court decisions in *Orellana Juarez* and *N-N-*, which squarely address this issue, correctly hold that ICE lacks the authority to impose extra-judicial conditions after an Immigration Judge has ordered release. To reiterate, in Petitioner's case DHS waived appeal of the Immigration Judge's $5,500 order to post bond (Exhibit 1).

VII. RELIEF SOUGHT AND ENFORCEMENT REQUEST

WHEREFORE, for the reasons stated herein, Petitioner Miguel Hernandez respectfully requests that this Court enforce its November 24, 2025 Order and grant the following relief:

1. An immediate Order directing Respondents to cease all supervision of Petitioner not mandated by the Immigration Judge's bond order. This includes the immediate removal of Petitioner's GPS ankle monitor and the termination of his enrollment and obligations under the ISAP.
2. A declaration that the sole lawful conditions of Petitioner's release are those set forth in the Immigration Judge's bond order, namely the posted $5,500 bond, and that any additional conditions imposed by ICE are void and unenforceable.
3. A revised Preliminary Injunction Order reaffirming that Respondents are enjoined from re-arresting, re-detaining, or imposing any further conditions of release on Petitioner, consistent with the Court's November 24, 2025 Order, unless one of the specific triggering events outlined in that Order occurs.
4. An Order requiring Respondents to file a notice of compliance with this Court within twenty-four (24) hours of this Order's entry, certifying that the GPS monitor has been removed and Petitioner's ISAP supervision has been terminated.

5. An Order retaining jurisdiction over this matter to ensure compliance and to issue an order to show cause why Respondents should not be held in contempt of court should they fail to comply with this Court's directives.
6. Granting Petitioner his attorney's fees expended in the preparation of this motion; and
7. Grant any and all other relief this Court deems just and proper.

For the foregoing reasons, Respondents have acted in clear violation of this Court's lawful Order and have unlawfully deprived Petitioner of his liberty. To protect the integrity of the judicial process and vindicate Petitioner's rights, this Court should grant the requested relief and enforce its prior judgment.

Respectfully submitted this 7th Day of December, 2025,

Karen Weinstock

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
GAINESVILLE DIVISION

MIGUEL HERNANDEZ, Petitioner, vs. DENNIS UDZINSKI, *in his official capacity as Warden of Hall County Jail*; and LADEON FRANCIS, *ICE Atlanta Field Office Director*; and TODD LYONS, *in his official capacity as Acting Director of Immigration and Customs Enforcement*; and KRISTI NOEM, *Secretary of Homeland Security* And PAMELA BONDI, *U.S. Attorney General.* Respondents.	)	CASE NO.: 2:25-cv-00373-RWS

CERTIFICATE OF COMPLIANCE

I hereby certify, pursuant to Local Rules 5.1 and 7.1(D), that the filing(s) filed herewith have been prepared using Century Schoolbook, 13 point font.

/s/ Karen Weinstock
Karen Weinstock
Attorney for Petitioner
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CERTIFICATE OF SERVICE

I certify that on December 7, 2025, I electronically filed the foregoing Motion with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to Respondents' attorney(s) of record.

/s/ Karen Weinstock
Karen Weinstock
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UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
STEWART IMMIGRATION COURT

Respondent Name:
HERNANDEZ-RAMOS, MIGUEL ANGEL

To:
Effron Sharma, Rachel
5425 Peachtree Pkwy NW
Suite 145
Norcross, GA 30092

A-Number:
[redacted]

Riders:
In Custody Redetermination Proceedings

Date:
11/26/2025

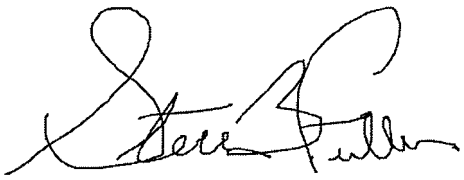
ORDER OF THE IMMIGRATION JUDGE

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

☑ Granted. It is ordered that Respondent be:
- ☐ released from custody on his own recognizance.
- ☑ released from custody under bond of $ 5,500.00
- ☐ other:

☐ Other:



Immigration Judge: FULLER, STEVEN 11/26/2025

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

Appeal Due:

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 : HERNANDEZ-RAMOS, MIGUEL ANGEL | A-Number : [redacted]
Riders:
Date: 11/26/2025 By: Green, Ty, Court Staff

DEPARTMENT OF HOMELAND SECURITY
CALL-IN LETTER

To *(Name, Address, City, State, Zip Code)*
Hernandez-Ramos, Miguel A
ALIEN ADDRESS
[redacted]esville GEORGIA 30504

File Number [redacted]
Date 11/26/2025

Please come to the office listed below at the time and place indicated in connection with an official matter.

Office Location	REPORT TO: 3300 Holcomb Bridge Road, Suite 110, Norcross, GA 30092
Time and Hour	CALL BEFORE REPORTING: 770-430-7131
Ask For	NON DETAINED
Reason for Appointment	REQUIRED TO REPORT: 12/02/2025 @0800
Bring With You	CALL-IN LETTER (G-56)

It is important that you keep this appointment and bring this letter with you.
If you are unable to do so, state your reason, sign below, and return this letter to this office at once.

B. Goldberg DO
Name and Title of Authorizing Official

Signature of Authorizing Official

I am unable to keep the appointment because:

Signature	Date

DHS Form G-56 (1/09)

ICE moves to shackle some 180,000 immigrants with GPS ankle monitors

A June 9 memo directed ICE field officers to significantly expand the number of immigrants under round-the-clock surveillance.

July 24, 2025

Paola, an immigrant from Honduras, was fitted with an ankle monitor after four years of court appearances and check-ins with ICE. (Sarah L. Voisin/The Washington Post)

By Douglas MacMillan and Silvia Foster-Frau

U.S. Immigration and Customs Enforcement has directed personnel to sharply increase the number of immigrants they shackle with GPS-enabled ankle monitors, as the Trump administration widens surveillance of people it is targeting for deportation, according to an internal ICE document reviewed by The Washington Post.

In a June 9 memo, ICE ordered staff to place ankle monitors on all people enrolled in the agency's Alternatives to Detention program "whenever possible." About 183,000 adult migrants are enrolled in ATD and had previously consented to some form of tracking or mandatory check-ins while they waited for their immigration cases to be resolved. Currently, just 24,000 of these individuals wear ankle monitors.

One exception would be pregnant women, who would be required to wear wrist-worn tracking devices, Dawnisha M. Helland, an acting assistant director in the management of non-detained immigrants, wrote in the letter. "If the alien is not being arrested at the time of reporting, escalate their supervision level to GPS ankle monitors whenever possible and increase reporting requirements," Helland wrote.

The new ankle monitor guidance, which has not been previously reported, marks a significant expansion of a 20-year-old surveillance practice steeped in controversy. While tracking devices are cheaper and arguably more humane than detention, immigrants and their advocates have long criticized the government's use of the bulky black ankle bands, which they say are physically uncomfortable, impose a social stigma and invade the privacy of the people wearing them, many of whom have no criminal record or history of missed court appointments.

"This will be a tool used to extend the reach of the government from just the folks it can manage to put in physical detention to an additional hundreds of thousands more that it can surveil," said Laura Rivera, a senior staff attorney at Just Futures, a nonprofit group that has done research on ICE tracking technologies. "It's designed to turn their own communities and homes into digital cages."

ICE is expanding a controversial surveillance program. Who stands to profit? There is a Podcast.

In an interview, ICE spokeswoman Emily Covington did not comment on the memo but said that the administration is using ankle monitors as an "enforcement tool" to ensure compliance with immigration laws and that "more accountability shouldn't come as a surprise." She said ICE still makes decisions on a case-by-case basis and officers still have discretion over which participants require tracking technology.

Detainees exercise outside at the Northwest ICE Processing Center, run by Geo Group, in Tacoma, Washington, on May 2. (David Ryder/Getty Images)

The expansion will drive business to Geo Group, the Boca Raton, Florida-based private prison conglomerate that previously employed at least two of Trump's top immigration officials and donated over $1.5 million to the president's 2024 campaign and inaugural committee. The tracking program is entirely run by BI Inc., a subsidiary of Geo that got its start in the 1970s by selling a device farmers used to monitor their cattle.

However, in one sign of ICE's widening ambitions, agency officials recently began looking for additional technology vendors because BI's capacity may not be able to meet the agency's full needs, said a person briefed on the plans who spoke on the condition of anonymity because they were not authorized to disclose them.

Geo did not respond to numerous requests for comment. An ICE spokesperson said in an emailed statement that the agency has a long-standing relationship with Geo and is "leveraging existing vendors who have proven track records."

The new policy has taken many by surprise. One day last week, about 50 migrants huddled in a room at an ICE field office in Chantilly, Virginia, waiting to be outfitted with tracking devices. "Everybody in here needs to either wear hardware or be detained," one ICE official said, according to Megan Brody, an immigration attorney who was there with her client.

Paola, 29, was told to report to BI's office in Manassas, Virginia, last month, where one of the contractor's employees told her she had to wear an ankle monitor due to "new laws," she said.

Paola, a mother of two who said she fled Honduras four years ago because of an abusive husband, said she has attended all of her court appearances and complied with her mandatory mobile app check-ins for the time she's spent waiting for her asylum case to be processed.

"Maybe they've taken these drastic steps because many people don't show up to court or change addresses without reporting," said Paola, who spoke to The Post on the condition that only her middle name be used because she is afraid of retribution by government officials. "But some of us do everything right and still get treated the same."

Paola wears a GPS-enabled ankle monitor. (Sarah L. Voisin/The Washington Post)

ICE requires most undocumented immigrants to attend court hearings or periodically check in at field offices while their cases are being processed, though the frequency varies depending on a range of factors. An analysis of federal data by the American Immigration Council, an immigrant rights group, found that 83 percent of non-detained immigrants with completed or pending removal cases attended all of their court hearings from 2008 to 2018.

A small portion of immigrants who are awaiting final resolution on their immigration proceedings are enrolled in ATD, which requires them to wear a tracking device or perform virtual check-ins using an app, as well as meeting in person with case managers in their home or a BI office. Enrollments in ATD peaked at 378,000 during the surge in border crossings under President Joe Biden and have declined since then.

ICE says it considers a range of factors when deciding whether and how to track each immigrant — including criminal history, compliance history, caregiver concerns and medical concerns — but usually does not explain why any individual is put into ATD. Since the program launched in 2004, some participants have claimed they were unfairly subjected to surveillance despite complying diligently with the terms of their release and posing no threat to their communities.

"There were individuals that should have not been in the program and should have been released on their own recognizance," said Hector Equihua, who worked as a San Diego-based case manager at BI for two years ending in 2018 and learned about the lives of the participants he oversaw from their case files, phone calls and in-person visits with them.

Of the people the government monitors under ATD, the vast majority, or 84 percent, are required only to check in virtually to a mobile app called SmartLINK, which uses facial recognition to confirm their identity and GPS to confirm their location at the time of their check-in, according to BI's website and ICE data as of July 12.

Ankle bracelets are used on just 13 percent of ATD participants but have been the only immigrant-monitoring technology to grow in use under the Trump administration, adding 4,165 new people since January.

Wearing one of the devices, which are made at BI's factory in Boulder, Colorado, is like having a deck of playing cards strapped to your ankle. At six ounces, it's about the same weight as an iPhone. The devices are prone to glitches, have poor battery life, and sometimes leave bruises or rashes on the people who wear them, according to interviews with former BI employees and ATD participants. Michael Langa, a South African immigrant who had to wear an ankle bracelet for eight months in 2019 after he overstayed his visa, said the metal band also came with a psychological burden.

"It makes you feel like you are really a bad person," Langa said. "It really gets into your psyche and really damages your soul." He said his case is still active but he no longer wears a tracking device.

All of the people wearing ankle monitors are assigned a BI case manager and given a geographic area they cannot leave, which could be as small as a few-mile radius or as wide as several states. Case managers get an alert any time the person leaves this area, if the device is tampered with or if its battery runs out, at which point the case managers typically call the participant and warn them they may be violating the terms of their release. They may also escalate the matter to ICE.

In the past, people who complied with the program were generally moved to less restrictive tracking and less frequent check-ins, a federal watchdog found in 2022. Now, according to interviews with some immigrants and their lawyers, the Trump administration appears to be reversing that policy: Participants who are fully compliant are being moved to more restrictive forms of tracking with little explanation.

"Why are people any more of a flight risk now?" asked Annelise Araujo, a Boston immigration attorney who says she represents several people who were outfitted with ankle monitors. "People who have lived in the same community, in the same home, in the same job for 20 years?"

Paola with her 6-year-old son and 5-month-old daughter at her home in Manassas, Virginia. (Sarah L. Voisin/The Washington Post)

Geo Group, ICE's largest contractor, is already benefiting from Trump's immigration crackdown. ICE has signed contracts to expand or reopen several Geo detention centers and to fund deportation flights on Geo's air carrier. This month, the agency issued BI a one-year extension on its immigrant-monitoring contract — bypassing a planned competitive bidding process that was expected to open the program to multiple new vendors.

Tom Homan, Trump's border czar, previously earned consulting fees working for the division of Geo that oversees immigrant monitoring, part of a pattern of revolving-door arrangements that includes several former ICE officials who obtained jobs in the detention industry, The Post reported earlier this year. A White House spokeswoman said Homan recuses himself from all discussions of government contracts.

Geo told investors it has ramped up production of ankle monitors and is prepared to potentially track millions of immigrants. "We have taken several important steps to be prepared to meet that opportunity, and we are very well positioned," David Donahue, Geo's chief executive, said on a call with analysts in May.

Because each ATD participant generates about $3.70 in revenue per day, a rapid expansion could amount to hundreds of millions of dollars in new revenue per year, said Joe Gomes, a financial analyst at Noble Capital Markets. An ICE spokeswoman said Congress did not allocate any money for ATD in Trump's One Big Beautiful Bill, though the text of the bill says it does include funding for "information technology investments to support enforcement and removal operations."

Despite Geo's preparations, there are questions about whether the company can meet the ballooning demand. For years, BI has limited its need for manufacturing by recycling old ankle monitors from one participant to the next, according to former employees. Much of its supply of the devices is old and in poor condition.

In addition to rapidly producing new devices, BI would have to quickly increase its staff of case managers, or employees tasked with ensuring immigrants are complying with ATD. With each case manager already overseeing as many as 300 participants at once, they are already stretched thin, with little time to attend to individual requests, according to a 2022 investigation by the Guardian.

Perhaps because of these constraints, ICE recently asked Geo to hire one or more subcontractors to help scale up the monitoring program, according to the person briefed on the agency's discussions. ATD may grow to include a variety of tracking devices and software tools other than

ankle monitors, depending on what technologies ICE can purchase in a short time frame, the person said.

Covington, the ICE spokeswoman, declined to comment on any plans to expand the program.

When Paola, the Honduran mother of two, got home from the BI office in June, her 6-year-old son asked her about the black box he noticed strapped around her ankle. She told him it was nothing serious — knowing she couldn't tell him the truth.

If she loses her asylum case, she knows, the ankle monitor "makes it easier for them to find me and deport me."

Marianne LeVine, Ence Morse and Aaron Schaffer contributed to this report.

correction

A previous version of a chart with this article incorrectly described a change in the number of Alternatives to Detention program participants as the change since Jan. 16. The numbers in the chart reflect the change since Jan. 11.

From: [redacted]
Subject: Increase of In-Person Check-Ins at Contractor Offices for ATD Participants
Date: Monday, June 9, 2025 4:43:01 PM
Attachments: [redacted]

Graphical user interface, text Description automatically generated

To: **All ERO Personnel**

Subject: **Increase of In-Person Check-Ins at Contractor Offices for ATD Participants**

BLUF: Please see below for changes to reporting requirements for aliens assigned to the ATD program.

Details:

- Post-order aliens in the ATD program, currently assigned to virtual check-ins, will now move to in-person check-ins.
- If the alien is not being arrested at the time of reporting, escalate their supervision level to GPS ankle monitors whenever possible and increase reporting requirements, regardless of case type (i.e., pre-order or post-order).
- Do not release any aliens on Order of Release on Recognizance (OREC) or Order of Supervision (OSUP) without technology.
- All pregnant females should be placed on wrist-worn technology.
- Local BI contractor offices can provide detailed reports to Field Offices of upcoming check-ins.

Questions related to this message can be directed to Unit Chief [redacted]

[redacted] **Helland**
[redacted]

This message was sent in concurrence with AD Field Operations.

This message expires one year from the date it was sent, pursuant to ERO Policy.