UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF KENTUCKY
OWENSBORO DIVISION

MARTIN AVILA ARANDA, Petitioner, v. SAMUEL OLSON, Field Office Director, Louisville Field Office, Immigration and Customs Enforcement, in his official capacity; KRISTI NOEM, Secretary, U.S. Department of Homeland Security, in her official capacity; PAMELA BONDI, U.S. Attorney General, in her official capacity; TODD M. LYONS, Acting Director of U.S. Immigration and Customs Enforcement, in his official capacity; MIKE LEWIS, Jailer, Hopkins County Jail, in his official capacity, Respondents.	Case No. 4:25-cv-00156-GNS

PETITIONER'S REPLY IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS

Petitioner Martin Avila Aranda ("Petitioner" or "Mr. Avila") has lived in the United States for over 36 years and was arrested and detained by the Department of Homeland Security (DHS) on the steps of the courthouse in his hometown of Elgin, Illinois. Because he was already present within the United States at the time of his arrest, his detention falls squarely under 8 U.S.C. § 1226, not § 1225. Respondents' arguments to the contrary rely on an incorrect reading of 8 U.S.C. §

1225 and § 1226. Although Petitioner may be considered an "applicant for admission" as someone present without being admitted or paroled, § 1225 also requires that the noncitizen be "seeking admission." As every federal court to have considered the issue has found, the term "seeking admission" applies to noncitizens at the border, not someone like Petitioner who has been present in the United States for over 30 years.

Respondents' jurisdictional arguments also fail, because Petitioner challenges the legality of his detention without bond, separate and distinct from his removal proceedings. Because Petitioner is detained unlawfully, the Court should order his immediate release or, in the alternative, require Respondents to provide him with a prompt bond hearing pursuant to 8 U.S.C. § 1226.

ARGUMENT

I. This Court has jurisdiction.

Respondents contend that this Court lacks jurisdiction based on the "jurisdiction-stripping" authority of 8 U.S.C. §§ 1252(g) and 1252(b)(9). Dkt. 8, p. 6-10. They argue that Petitioner challenges his ongoing removal proceedings and the decision to detain him. *Id.* Petitioner does neither. Instead, he challenges Respondents' claimed authority to detain him without bond. As such, none of the jurisdictional provisions Respondents cite apply. *See Herrera Avila*, 2025 WL 2976539, at *4 (rejecting same jurisdictional arguments raised by Respondents); *Alejandro v. Olson*, 1:25-cv-2027, 2025 WL 2896348, at *3 (S.D. Ind. Oct. 11, 2025) (same); *Ochoa v. Noem*, No. 25 CV 10865, 2025 U.S. Dist. LEXIS 204142, at *4 (N.D. Ill. Oct. 16, 2025) (same).

The Supreme Court has made clear that Section 1252(g)'s application is narrow: "That provision limits review of cases 'arising from' decisions 'to commence proceedings, adjudicate cases, or execute removal orders,'" and the Court has "rejected as 'implausible'" any claim that it covers "all claims arising from deportation proceedings." *DHS v. Regents of the Univ. of California*,

591 U.S. 1, 19 (2020) (quoting *Reno v. American-Arab Anti–Discrimination Comm. (AADC)*, 525 U.S. 471, 482 (1999)).

Respondents claim that their decision to detain Petitioner "arose from the commencement of his removal proceeding." Dkt. 8, p. 6-7. This argument is without support. Courts have consistently recognized that challenges to the legality of a noncitizen's detention are independent of removal-based claims and not barred by Section 1225(g). *See, e.g.*, *Carrera-Valdez v. Perryman*, 211 F.3d 1046, 1047 (7th Cir. 2000) ("nothing in § 1252(g) precludes review of the decision to confine."); *Hamama v. Adducci*, 912 F.3d 869 (6th Cir. 2018) (acknowledging that "the district court had jurisdiction over the detention-based claims and that this jurisdiction is an independent consideration that is not tied to whether the district court has jurisdiction over the removal-based claims.").[1]

Further, Section 1252(g) does not prohibit purely legal claims that do not challenge the Attorney General's discretionary authority. *United States v. Hovespian*, 359 F.3d 1144, 1155 (9th Cir. 2004) (en banc); *Bowrin v. INS*, 194 F.3d 483, 488 (4th Cir. 1999) (Section 1252 "does not apply" to Government's interpretations of law); *Kong v. United States*, 62 F.4th 608, 617 (1st Cir. 2023) (Section 1252(g) does not bar review of the "lawfulness" of a removal-related action because such claims are "collateral" to the discretionary decisions immunized by Section 1252(g)).

Second, section 1252(b)(9) is also of no help to Respondents. It bars review of claims "arising from" actions or proceedings brought to remove a noncitizen. However, courts have cautioned that the phrase "arising from" is not "infinitely elastic" and does not reach "claims that are independent of, or wholly collateral to, the removal process," or that bear "only a remote or

[1] In *Hamama*, the Sixth Circuit ultimately concluded that the detention-related claims were also barred from review; but that was because 8 U.S.C. § 1252(f)(1) bars claims seeking class-wide, non-habeas, injunctive relief, something Petitioner does not seek. *Hamama*, 912 F.3d at 877.

attenuated connection to the removal of a[] [noncitizen]." *Aguilar v. ICE*, 510 F.3d 1, 10-11 (1st Cir. 2007). In fact, the Supreme Court has cautioned against an overbroad application, noting that it "does not present a jurisdictional bar" where those bringing suit "are not asking for review of an order of removal," "the decision to detain them in the first place or to seek removal," or "the process by which their removability will be determined." *Jennings,* 583 U.S. at 294-95; *see also Regents*, 591 U.S. at 19. Here, Petitioner does none of these. Furthermore, courts have routinely entertained individual petitions for writ of habeas corpus as a means to challenge unlawful detention notwithstanding the language of Section 1252(b)(9). *See, e.g.*, *Mahdawi v. Trump*, 136 F.4th 443, 452 (2d Cir. 2025) (rejecting claim that § 1252(b)(9) barred detention challenge because "[c]onstruing an independent constitutional challenge to detention as necessarily implying a challenge to removal would lead to what *Jennings* called an 'absurd' result."); *accord Kong*, 62 F.4th at 614.

Section 1252(a)(5), meanwhile, applies to "judicial review of an order of removal." Petitioner does not challenge an order of removal.

Taken together, the broad interpretation of Section 1252 that Respondents seek would have "staggering results," including rendering claims like Petitioner's "effectively unreviewable" because custody determinations cannot be challenged in an appeal of a removal order. *Jennings*, 583 U.S. at 293. The legislative history for the 2005 REAL ID Act confirms Section 1252's inapplicability to detention-related habeas challenges. It states twice that "it should also be noted that section 106 [8 U.S.C. §1252] will not preclude habeas review over challenges to detention that are independent of challenges to removal orders. Instead, the bill would eliminate habeas review only over challenges to removal orders." H.R. Cong. Rep. No. 109-72, at 175 (May 3, 2005); *id.* at 176 (same); *see* 8 U.S.C. §1252 (credits). Cognizant of these concerns, dozens of

courts around the country have found jurisdiction to consider the exact issues raised here. *See* Dkt. 1, p. 7-8; *see also Leal-Hernandez*, 2025 WL 2430025, at *6 (rejecting government's jurisdictional arguments in habeas challenging whether Petitioner was properly subject to mandatory detention under 8 U.S.C. § 1225(b)(2)). This Court should do the same.

II. Petitioner is not subject to mandatory detention.

Federal courts, including the Supreme Court, have long held that detention under 8 U.S.C. § 1225 applies to those at the border while Section 1226 applies to those already present in the United States. In *Jennings v. Rodriguez*, 583 U.S. 281 (2018), the Supreme Court held that Section 1225 authorizes the Government "to detain certain [noncitizens] seeking admission into the country," while Section 1226 "authorizes the Government to detain certain [noncitizens] already in the country." 583 U.S. at 289. *Jennings* therefore forecloses Respondents' position. *See, e.g.*, *Lopez Benitez*, 2025 WL 2371588 (S.D.N.Y. Aug. 13, 2025) at *8 ("[T]he line historically drawn between sections 1225 and 1226, which makes sense of their text and the overall statutory scheme, 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.'") (cleaned up) (citing *Jennings*, 583 U.S. at 288-89); *Martinez v. Hyde*, 2025 WL 2084238, at *8 (D. Mass. July 24, 2025) ("The idea that a different detention scheme would apply to non-citizens 'already in the country,' as compared to those 'seeking admission into the country,' is consonant with the core logic of our immigration system ") (cleaned up) (citing *Jennings*, 583 U.S. at 289).

Respondents do not dispute the facts of Petitioner's entry. They do not dispute that Petitioner entered the United States without inspection on or about July 1989. *See* Dkt. 8, p. 5-6. Nor do Respondents dispute the fact that Petitioner has been present and has resided in the United States for over 36 years. *See Id.* Respondents also do not contest that Petitioner was arrested by

DHS in Elgin, Illinois, hundreds of miles from any border or port of entry. *Id.* In fact, DHS charged Petitioner as being "*present* in the United States without inspection and with no applications for relief pending with ICE." *See Id.* at 5(emphasis added). In other words, Petitioner was not "arriving" at a border when he was arrested. But for recent illegal and counterfactual policy choices, these facts render Petitioner eligible for release on bond. Indeed, legacy Immigration and Naturalization Service (now DHS) explicitly stated that "[d]espite being applicants for admission, [noncitizens] who are present without having been admitted or paroled (formerly referred to as [noncitizens] who entered without inspection) *will be eligible for bond and bond redetermination.*" 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997) (emphasis added).

In the face of this settled law, Respondents repeat the novel interpretation of Section 1225 as applying *within* the United States that the government has taken since July 2025 and has been affirmed in *Matter of Yajure Hurtado*, 25 I. & N. Dec. 216 (BIA 2025). *See, e.g.*, Dkt. 8, p. 21-23. Respondents argue that Section 1225 governs "applicants for admission." Dkt. 8, p. 19-21However, Respondents' legal interpretation is plainly contrary to the statutory text and framework, Congressional intent, decades of agency practice, and decisions of federal courts across the nation.

Although Petitioner may be considered an "applicant for admission" under Section 1225(a)(1) because he is present without being admitted or paroled, he is not "seeking admission" as required to be subject to mandatory detention under Section 1225(b)(2). Respondents attempt to circumvent the "seeking admission" requirement by claiming that his being an "applicant for admission" is "one and the same." Dkt. 8, p. 12. This position, however, "completely ignore[s] or even read[s] out the term 'seeking' from 'seeking admission.'" *Beltran Barrera v. Tindall,* 2025 WL 2690565, at *4 (W.D. Ky. Sept. 19, 2025). The court in *Beltran Barrera* noted that "'seeking' implies action and that those who have been present in the country for years are not actively

'seeking admission.'" *Id.*; *Herrera Avila v. Bondi*, No. CV 25-3741 (JRT/SGE), 2025 WL 2976539, at *5 (D. Minn. Oct. 21, 2025) ("The problem with Respondents' argument is that it ignores the phrase 'seeking admission' found in § 1225(b)(2), which implies a current action."). If, as Respondents contend, *see* Dkt. 8, p. 20, admission can only mean a lawful entry, then those who already entered the United States unlawfully cannot be said to be seeking a lawful entry. *See e.g., Lopez-Campos v. Raycraft*, No. 2:25-CV-12486, 2025 WL 2496379, at *7 (E.D. Mich. Aug. 29, 2025) ("There is nothing in the record to suggest that he ever attempted to gain lawful entry (e.g. lawful status in this country) until he was apprehended and detained. Therefore, the Court finds that 1225(b)(2)(A) applies when people are being inspected, which usually occurs at the border, when they are seeking lawful entry into this country. ... There is no logical interpretation that would find that [Petitioner] was actively "seeking admission" after having resided here, albeit unlawfully, for twenty-six years.").

The recent amendment to Section 1226(c) confirms this statutory framework. Just this year, Congress passed the Laken Riley Act, which added additional categories of Section 1226(a) carve outs that are now subject to mandatory detention under Section 1226(c). Laken Riley Act, Pub. L. No. 119-1, 139 Stat. 3 (2025); 8 U.S.C. § 1226(c)(1)(E). Specifically, the Laken Riley Act mandates the detention of noncitizens who are inadmissible under §§ 1182(a)(6)(A) (noncitizens "present in the United States without being admitted or paroled"), 1182(a)(6)(C) (misrepresentation), or 1182(a)(7) (lacking valid documentation) and who have been arrested for, charged with, or convicted of certain crimes. *Id.* If Section 1225(b)(2) were already meant to subject these groups of inadmissible noncitizens to mandatory detention, it would render this portion of the Laken Riley Act redundant. *See Herrera Avila v. Bondi*, No. CV 25-3741 (JRT/SGE), 2025 WL 2976539, at *6 (D. Minn. Oct. 21, 2025) (noting that, under Respondents' interpretation,

"amendments to § 1226(c) in the Laken Riley Act would be rendered superfluous"); *Brito Barrajas v. Noem*, 2025 WL 2717650, at *4 (S.D. Iowa Sept. 23, 2025) (same).

Respondents' reliance on *Matter of Lemus* is misplaced. Dkt. 8, p. 11. The statutes discussed in *Lemus* were 8 U.S.C. § 1182(a)(9)(B) and 8 U.S.C. § 1182(a)(9)(C), which contain the phrase "seeks admission" and "seeking admission," respectively. 25 I&N Dec. 734, 742-745 (BIA 2012). Those statutes make clear that noncitizens who seek admission or who are seeking admission have departed the United States and are attempting to return. *See* 8 U.S.C. § 1182(a)(9)(B)(i)(I) (applying to those who were unlawfully present in the United States for more than 180 days but less than a year, departed and again "seeks admission" within 3 years of the date of departure); 8 U.S.C. § 1182(a)(9)(B)(i)(II) (applying to those who were unlawfully present for one year or more, who again "seeks admission" within 10 years of the date of departure or removal); 8 U.S.C. § 1182(a)(9)(C)(ii) (applying to those "seeking admission" more than 10 years after the date of the noncitizen's last departure from the United States). Congress's use of "seeking admission" in the context of those who have departed the United States in these other provisions of the INA reinforces Petitioner's position that those "seeking admission" under Section 1225 are those who are at the border, not those who are already present in the United States. Because Petitioner entered without inspection and lived in the country for over 20 years before being apprehended far from any border or port of entry, he was not "seeking admission" and is not subject to mandatory detention under Section 1225. Instead, as someone arrested inside the United States, Petitioner is detained under Section 1226 and is eligible for release on bond.

Indeed, dozens of courts across the country, including courts in the Eighth Circuit, have overwhelmingly rejected the government's novel interpretation of Section 1225. *See, e.g., Anicasio v. Kramer*, 2025 WL 2374224, at *2 (D. Neb. Aug. 14, 2025) ("Courts have repeatedly

held that § 1225 applies to arriving aliens, while § 1226 governs detention of 'aliens already in the country.'"); *Brito Barrajas*, 2025 WL 2717650, at *6; *Giron Reyes v. Lyons*, 2025 WL 2712427 (N.D. Iowa Sept. 23, 2025); *Eliseo A.A. v. Olson*, 2025 WL 2886729 (D. Minn. Oct. 8, 2025); *Lopez Benitez*, 2025 WL 2371588 at *5–8 (analyzing "the plain text of the statute" and holding that it applied at the borders of America, not within); *Samb v. Joyce*, 2025 WL 2398831, at *3 (S.D.N.Y. Aug. 19, 2025) (following *Lopez*); *Doe v. Moniz*, 2025 WL 2576819 at *4-5 (D. Mass. Sept. 5, 2025) ("Respondents' argument that Section 1225's detention provisions apply is a nonstarter[.]"); *Romero v. Hyde*, 2025 WL 2403827, at *1 (D. Mass. Aug. 19, 2025) ("the interpretation [of § 1225] being advanced by the Government, which would require the mandatory detention of hundreds of thousands, if not millions, of individuals currently residing within the United States, is contrary to the plain text of the statute") (gathering 13 cases from District Courts in Washington, Massachusetts, Arizona, New York, Minnesota, California, Nebraska, and Maine); *Leal-Hernandez v. Noem,* No. 1:25-CV-02428-JRR, 2025 WL 2430025, at *2 (D. Md. Aug. 24, 2025) ("The Government appears willfully blind to the operation of 8 U.S.C. § 1226(a)"); *Kostak v. Trump*, 2025 WL 2472136, at *3 (W.D. La. Aug. 27, 2025) ("Respondents' interpretation of Section 1225 would render Section 1226 unnecessary"); *Lopez-Campos*, 2025 WL 2496379, at *5 ("The plain language of the statutes, the overall structure, the intent of Congress, and over 30 years of agency action make clear that Section 1226(a) is the appropriate statutory framework for determining bond for noncitizens who are already in the country[.]"); *Mosqueda v. Noem*, 2025 WL 2591530, at *4-5 (C.D. Cal. Sept. 8, 2025) ("The Court agrees with petitioners that the plain text of section 1226(a) applies to them . . . The Court disagrees with respondents' contention that Congress intended to create a conflict between juxtaposing sections of the same statute."); *Pizarro Reyes v. Raycraft*, 2025 WL 2609425, at *7 (E.D. Mich. Sept. 9, 2025) (collecting 15 cases).

The BIA's decision in *Yajure Hurtado*, relied on by Respondents, Dkt. 14, p. 8, has not slowed the steady flow of decisions rejecting Respondents' position. *See, e.g., Herrera Avila*, 2025 WL 2976539, at *5 (disagreeing with BIA's analysis and according no deference under *Loper Bright Enters. v. Raimondo*, 603 U.S. 369, 413 (2024)); *Beltran Barrera*, 2025 WL 2690565, at *5 (same); *Sampiao v. Hyde*, 2025 WL 2607924, at *8 n.11 (D. Mass. Sept. 9, 2025) (same); *Aceros v. Kaiser*, No. 25-CV-06924-EMC (EMC), 2025 WL 2637503, at *9 (N.D. Cal. Sept. 12, 2025) (same).

Respondents attempt to justify their position by pointing to the district court's decision in *Mejia Olalde v. Noem*, 2025 WL 3131942 (E.D. Mo. Nov. 10, 2025) wherein the court determined that petitioner Francisco Mejia Olalde was detained under 8 U.S.C. § 1225(b)(2) and therefore subject to mandatory detention. *Id.* at *2. However, *Mejia Olalde* goes against "the consensus of the judges" across the country. *Guartazaca Sumba v. Crowley*, 2025 WL 3126512, at *2 (N.D. Ill. Nov. 9, 2025); *see also Soto-Garcia v. Olson*, 2025 WL 3204594, at *1 n. 2 (N.D. Ill. Nov. 17, 2025) (noting disagreement with *Mejia Olalde*); *Demirel, v. Federal Detention Center Philadelphia*, 2025 WL 3218243, at *1 (E.D. Pa. Nov. 18, 2025) ("[T]here are 288 district court decisions addressing this issue. In all but six, the Government's interpretation of the INA—the same interpretation it urges here—was rejected.").

The *Olalde* court brushed aside this contrary authority, concluding that this consensus was unpersuasive based on federal district courts' widespread use of universal injunctions prior to *Trump v. CASA, Inc.*, 606 U.S. 831 (2025). *See Mejia Olalde*, 2025 WL 3131942, at *1. *Mejia Olalde*'s contrary reading of the statute conflates the categories of "applicant for admission" and "applicant seeking admission." *See* 8 U.S.C. § 1225(b)(2) (mandatory detention applicable to "an alien seeking admission is not clearly and beyond a doubt entitled to be admitted"). As courts have

repeatedly explained, the two categories are different: *See, e.g.*, *Ochoa*, 2025 WL 2938779, at *6. The statutory definition of "application for admission," 8 U.S.C. § 1225(a), "doesn't require an application of any sort. All that's needed is presence without admission—in other words, it applies to the great number of undocumented immigrants who currently live here. By contrast … 'seeking admission' requires an alien to *continue* to want to *go into* the country." *J.G.O. v. Francis*, 2025 WL 3040142, at *3 (S.D.N.Y. Oct. 28, 2025). Labeling someone who is already inside the United States as someone who is "seeking admission" runs into a clear logical problem: "you can't go into a place where you already are." *Id.*

III. Petitioner has shown that his unlawful detention without bond violates his right to Due Process.

Contrary to Respondents' arguments, Petitioner has established that he is not subject to mandatory detention under Section 1225(b)(2) but instead may only be detained under Section 1226's discretionary framework. Dkt. 1, p. 6-16. As such, Petitioner is entitled to release, or at minimum, a bond hearing where an immigration judge considers his individualized facts and circumstances to determine whether he is a danger to the community or a flight risk. *Alejandro*, 2025 WL 2896348, at *9 ("Mr. Alejandro has shown a likelihood of success on his claim that § 1225(b)(2)(A) does not apply to him. Given that Respondents do not assert any other basis for Mr. Alejandro's detention and do not argue that he presents a flight risk or danger, the appropriate remedy is his immediate release.") Therefore, Petitioner's current detention runs contrary to the INA, and detention that is contrary to statutory authority violates the due process clause, which applies to "*all 'persons' within* the United States, including [noncitizens], whether their presence here is lawful, unlawful, temporary, or permanent." *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001) (emphasis added). Further, whatever interest Respondents have in detaining Petitioner cannot

outweigh the public interest in the faithful application of the constitution and laws that Congress drafted.

Respondents attempt to downplay Petitioner's due process claim by arguing that "[a]s an applicant for admission detained under 8 U.S.C. § 1225(b)(2), Petitioner does not have due process rights beyond those provided in 8 U.S.C. § 1225. Dkt 8, p. 23. However, as courts have consistently recognized, custody determinations and removal proceedings are distinct processes. *See A.A. v. Olson*, No. 25-cv-03381-JWB-DJF,2025 U.S. Dist. LEXIS 201993, 2025 WL 2886729, at *6 (D. Minn. Oct. 8, 2025) ("A petition for review with the BIA and then the court of appeals cannot substitute for habeas review of ongoing detention."). Here, in his habeas petition, Petitioner challenges his *detention* as a violation of the INA and the Due Process Clause of the Fifth Amendment. Dkt. 1, p. 12-13. Petitioner's ongoing removal proceedings and the relief sought therein are an entirely separate process to questions around the legality of his ongoing detention.

Respondents rely on *DHS v. Thuraissigiam*, 591 U.S. 103 (2020), which held that an "applicant for admission" under Section 1225 who is "seeking initial entry" into the country "has only those rights regarding admission that Congress has provided by statute." *Id.* at 139-40. But as noted, Petitioner is not seeking initial entry and is not an applicant for admission; so Respondents' placement of Petitioner in that category is incorrect and the holding in *Thuraissigiam* is inapplicable here.

Respondent's statement that despite Petitioner's continued, unlawful detention, "there is little chance of erroneous deprivation of any rights" severely diminishes his liberty interest in being free from confinement while his proceedings are ongoing. "The interest in being free from physical detention" is "the most elemental of liberty interests." *Hamdi v. Rumsfeld*, 542 U.S. 507, 529, 531 (2004). As the Supreme Court has long recognized, time spent in detention "has a detrimental

impact on the individual. It often means loss of a job; it disrupts family life; and it enforces idleness." *Barker v. Wingo*, 407 U.S. 514, 532-33 (1972). Here, absent intervention from this Court, Petitioner faces months, or even years, in immigration custody, separated from his two ailing parents for whom he is the sole caregiver, when accounting for his proceedings before the immigration court and any subsequent appeals. Petitioner's ongoing removal proceedings do not resolve the question of whether his continued detention without bond is lawful. For the reasons stated here and in his underlying Petition, Petitioner has established that it is not.

IV. The class action decision in Maldonado Bautista v. Santacruz.

Finally, on November 20, 2025, the court in *Maldonado Bautista v. Santacruz,* No. 5:25-CV-07873-SSS-BFM (C.D. Cal. Nov. 20, 2025), rejected Respondents' position, finding that individuals who entered the United States without inspection are detained under Section 1226(a) and are therefore entitled to a bond hearing. *See* Order Granting Petitioner's Motion for Summary Judgement, attached hereto as Exhibit A. *Maldonado Bautista* is a nationwide class action, and the court granted class certification on November 25, 2025, applying its earlier summary judgment decision to the now-certified class. *See* Order Granting Motion for Class Certification, attached hereto as Exhibit B. Because Petitioner is plainly a member of the nationwide class, this Court should grant his petition forthwith pursuant pursuant to 28 U.S. Code § 2243.

CONCLUSION

Petitioner's continued detention without bond violates the INA and his right to due process. Because he is being unlawfully detained, Petitioner respectfully requests that this Court grant his petition for writ of habeas corpus and order his immediate release or, in the alternative, require Respondents to provide a prompt bond hearing pursuant to Section 1226

DATED this 28th of November 2025 Respectfully submitted,

/s/ Matthew J. Langley
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CERTIFICATE OF SERVICE

I, Colleen Cowgill, hereby certify that on November 28, 2025, I filed the foregoing with the Clerk of Court using the CM/ECF system, which sent notice of filing to all parties receiving electronic notice.

s/ Matthew J. Langley
Attorney for Petitioner