UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

Nain Antonio Andarcia Jimenez Petitioner, v. KRISTI NOEM, Secretary, U.S. Department of Homeland Security; ROBERT LYNCH, Field Office Director, Detroit Field Office, Immigration and Customs Enforcement, Respondents.	Case No. 1:25-cv-1556 Agency File Number: A [redacted]

PETITION FOR WRIT OF HABEAS CORPUS AND COMPLAINT FOR EMERGENCY INJUNCTIVE RELIEF

The Petitioner, Nain Antonio ANDARCIA JIMENEZ, by and through his own and proper person and through his attorney, JENNIFER PEYTON, of KRIEZELMAN BURTON & ASSOCIATES, LLC, petitions this Honorable Court to issue a Writ of Habeas Corpus to review his unlawful detention in violation of his constitutional and statutory rights.

Introduction

1. Petitioner is presently being detained by U.S. Immigration and Customs Enforcement ("ICE") at the North Lake Correctional Facility, located in Baldwin, Michigan.
2. Petitioner is a native and citizen of Venezuela. Petitioner first entered the United States in 2023.
3. Petitioner has no criminal record.
4. Petitioner's detention became unlawful on October 28, 2025, when he was taken into custody by ICE/ERO officials. Petitioner complied a request to present himself to

Chicago ICE ERO. At the time, he was told that the laws had changed, and the president wanted everyone detained regardless if they had a working permit. His continued detention is an unlawful violation of due process and an incorrect interpretation of immigration law.

5. Petitioner was previously located at Broadview Detention Center in Broadview, Illinois. He was then transferred to North Lake Processing Center in Baldwin, Michigan, where he is presently detained.

6. Petitioner respectfully asks this Court to issue a temporary restraining order directing Petitioner's release and enjoin Respondents' continued detention of Petitioner or a temporary restraining order directing Respondents to conduct a bond hearing to ensure his due process rights.

7. In the alternative, Petitioner respectfully requests the Court order Respondents to show cause why this Petition should not be granted within three days. *See* 28 U.S.C. § 2243.

Jurisdiction and Venue

8. The action arises under the Constitution of the United States, the Immigration and Nationality Act of 1952, as amended ("INA"), 8 U.S.C. § 1101 *et seq.*, and the Administrative Procedure Act ("APA"), 5 U.S.C. § 701 *et seq.*

9. This Court has habeas corpus jurisdiction pursuant to 28 U.S.C. § 2241, and Article I, section 9, clause 2 of the United States Constitution (the "Suspension Clause"), as Petitioner is presently subject to immediate detention and custody under color of authority of the United States government, and said custody is in violation of the Constitution, law or treaties of the United States.

10. This action is brought to compel the Respondents, officers of the United States, to accord Petitioner the due process of law to which he is entitled under the Fifth and Fourteenth Amendments of the United States Constitution.

11. This Court may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28 U.S.C. § 2201 *et seq.*, 28 U.S.C. § 1331 (federal question jurisdiction), 28 U.S.C. § 1361 (mandamus), and the All Writs Act, 28 USC § 1651.

12. Venue is proper in the Western District of Michigan because Petitioner is presently detained by Respondents at North Lake Processing Center – which is located within the Western District. 28 U.S.C. § 1391(b), (e)(1).

Parties

13. Petitioner Nain Antonio Andarcia Jimenez is a native and citizen of Venezuela. Petitioner is presently detained at North Lake Processing Center, located in Baldwin, Michigan.

14. Respondent KRISTI NOEM is being sued in her official capacity only. Pursuant to the Homeland Security Act of 2002, Pub. L. 107-296, Defendant NOEM, through her delegates, has broad authority over the operation and enforcement of the immigration laws.

15. Respondent ROBERT LYNCH is being sued in his official capacity only, as the Field Office Director of the Detroit Field Office of ICE. As such, he is charged with the detention and removal of aliens which fall under the jurisdiction of the Detroit Field Office.

Custody

16. Petitioner Nain Antonio Andarcia Jimenez is being unlawfully detained by ICE and he is not likely to be removed in the reasonably foreseeable future.

Factual and Procedural Background

17. Petitioner Nain Antonio Andarcia Jimenez is a native and citizen of Venezuela. He entered the United States in 2023.

18. On or around November 12, 2024, Petitioner filed an application for asylum. He was scheduled for a court date in 2026 before the Chicago Immigration Court.

19. Petitioner was recently detained by DHS and initially taken to Broadview Detention Center in Broadview, Illinois. He was then transferred to North Lake Processing Center in Baldwin, Michigan.

20. On September 5, 2025, the Board of Immigration Appeals ("BIA") issued the decision, *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025). This decision, for the first time in immigration history, proclaimed that any person who crossed the border unlawfully and is later taken into immigration detention is no longer eligible for release on bond.

21. Before September 5, 2025, just 3 months prior, the official position of the BIA was that the Immigration Judge had power to grant release on bond under INA section 236(a) if the person did not have a disqualifying criminal record and the judge was satisfied, after a hearing, that the person was not a danger to the community or a flight risk. *Matter of Akhmedov*, 29 I&N Dec. 166 (BIA 2025).

22. Moreover, ICE had a longstanding practice of treating noncitizens taken into custody while living in the United States as detained pursuant to 8 U.S.C. section 1226(a).

Rocha Rosado v. Figueroa, 2025 WL 2337099, (D. Arizona August 11, 2025); *see Loper Bright Enter. v. Raimondo*, 603 U.S. 369, 386 (2024) ("[T]he longstanding practice of the government—like any other interpretive aid—can inform [a court's] determination of what the law is."). However, this position changed on July 8, 2025, when internal "interim guidance" was released regarding a change in their longstanding interpretation of which noncitizens are eligible for release on bond. Ex. 1, Interim Guidance (July 8, 2025). ICE's position is that only those already admitted to the U.S. are eligible to be released from custody during their removal proceedings, and that all others are subject to mandatory detention under 8 U.S.C. § 1225, instead of 8 U.S.C. § 1226, and will remain detained with only extremely limited parole options at ICE's discretion. *See id.*

23. Petitioner's continued detention, without the possibility to request a bond hearing, prohibits him from being able to financially provide for himself, deprives him of his liberty, and inhibits his removal defense in many ways, including by making it difficult to communicate with witnesses, gathering evidence, and afford legal representation, among other related harm.

24. Since the September 5, 2025 BIA decision, Petitioner now has no opportunity to seek a request for bond redetermination and must remain detained away from his family, counsel, and support system and continues to be subjected to the aforementioned harms.

25. Because Petitioner's removal proceedings will remain pending until he is transferred and placed before a Judge, there is little likelihood that Petitioner's removal will occur in the reasonably foreseeable future.

Legal Framework

Due Process Clause

26. "It is well established that the Fifth Amendment entitles [noncitizens] to due process of law in deportation proceedings." *Demore v. Kim*, 538 U.S. 510, 523 (2003) (quoting *Reno v. Flores*, 507 U.S. 292, 306 (1993)). "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).

27. In the immigration context, the Supreme Court only recognizes two purposes for civil detention: preventing flight and mitigating the risks of danger to the community. *Zadvydas*, 533 U.S. at 690; *Demore*, 538 U.S. at 528. A noncitizen may only be detained based on these two justifications if they are otherwise statutorily eligible for bond. *Zadvydas*, 533 U.S. at 690.

28. "The fundamental requirement of due process is the opportunity to be heard at a meaningful time and in a meaningful manner." *Mathews v. Eldridge*, 424 U.S. 319, 333 (1976). In this case, to determine the due process to be afforded to Petitioner, the Court should consider (1) the private interest affected by the government action; (2) the risk that current procedures will cause an erroneous deprivation of that private interest, and the extent to which that risk could be reduced by additional safeguards; and (3) the government's interest in maintaining the current procedures, including the governmental function involved and the fiscal and administrative burdens that the substitute procedural requirement would entail. *Id.* at 335.

Detention Provisions under the Immigration and Nationality Act

29. The Immigration and Nationality Act is codified at Title 8 of the United States Code, Section 1221 *et seq.*, and controls the United States Government's authority to detain noncitizens during their removal proceedings.

30. The INA authorizes detention for noncitizens under four distinct provisions:

1) **Discretionary Detention. 8 U.S.C. § 1226(a)** generally allows for the detention of noncitizens who are in regular, non-expedited removal proceedings; however, permits those noncitizens who are not subject to mandatory detention to be released on bond or on their own recognizance.

2) **Mandatory Detention of "Criminal" Noncitizens. 8 U.S.C. § 1226(c)** generally requires the mandatory detention of noncitizens who are removable because of certain criminal or terrorist-related activity after they have been released from criminal incarceration.

3) **Mandatory Detention of "Applicants for Admission." 8 U.S.C. § 1225(b)** generally requires detention for certain noncitizen applicants for admission, such as those noncitizens arriving in the U.S. at a port of entry or other noncitizens who have not been admitted or paroled into the U.S. and are apprehended soon after crossing the border.

4) **Detention Following Completion of Removal Proceedings 8 U.S.C. § 1231(a)** generally requires the detention of certain noncitizens who are subject to a final removal order during the 90-day period after the completion of removal proceedings and permits the detention of certain noncitizens beyond that period. *Id.* at § 1231(a)(2), (6).

31. This case concerns the detention provisions at §§ 1226(a) and 1225(b). Both detention provisions, §§ 1226(a) and 1225(b), were enacted as part of the Illegal Immigration Reform and Immigrant Responsibility Act ("IIRIRA") of 1996, Pub. L. No. 104-–208, Div. C, §§ 302–03, 110 Stat. 3009-546, 3009–582 to 3009–583, 3009–585.[1]

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[1] Section 1226(a) was most recently amended earlier this year by the Laken Riley Act, Pub. L. No.119-1, 139 Stat. 3 (2025).

32. Following enactment of the IIRIRA, the Executive Office for Immigration Review ("EOIR") drafted new regulations explaining that, in general, people who entered the country without inspection were not considered detained under § 1225(b) and that they were instead detained under § 1226(a) after an arrest warrant was issued by the Attorney General. *See* Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of Removal Proceedings; Asylum Procedures, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997) ("Despite being applicants for admission, aliens who are present without having been admitted or paroled (formerly referred to as aliens who entered without inspection) ***will be eligible for bond and bond redetermination***") (emphasis added).

33. The legislative history behind § 1226 also demonstrates that it governs noncitizens, like Petitioner, who were deemed inadmissible upon inspection at the border, released into the United States at the border after being placed into removal proceedings, and were present in the United States for a number of years prior to being taken into detention. Before passage of the Immigration Reform and Immigrant Responsibility Act ("IRIRA"), the predecessor statute to § 1226(a) governed deportation proceedings for all noncitizens arrested within the United States, and like § 1226(a), included a provision allowing for discretionary release on bond. *See* 8 U.S.C. § 1252(a)(1) (1994).[2] After passing the IIRIRA, Congress declared the new § 1226(a) "restates the current provisions in [the predecessor statute] regarding the authority of the Attorney General to arrest, detain, and release on bond" a noncitizen "who is not lawfully in the

[2] See 8 U.S.C. § 1252(a)(1) (1994) ("Pending a determination of deportability...any [noncitizen]...may, upon warrant of the Attorney General, be arrested and taken into custody."); Hose v. Immigration & Naturalization Serv., 180 F.3d 992, 994 (9th Cir. 1999)(noting a "deportation hearing" was the "usual means" of proceeding against an alien physically in the United States).

United States." H.R. Rep. No. 104-469, pt. 1, at 229. *See also* H.R. Rep. No. 104-828, at 210. Because noncitizens like Petitioner were entitled to discretionary detention under § 1226(a)'s predecessor statute, and Congress declared the statute's scope unchanged by IIRIRA, the Court should interpret § 1226 to allow for a discretionary release on bond for noncitizens in a situation similar to Petitioner.

34. On September 5, 2025, the Board of Immigration Appeals issued its decision in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025) and proclaimed for the first time that any person who crossed the border unlawfully and is later taken into immigration detention is no longer eligible for release on bond.

35. This decision ignores decades of immigration law and precedent by the Supreme Court, as well as the policies and procedures that had been in place before EOIR for more than 30 years.

36. In *Jennings v. Rodriguez*, the Supreme Court analyzed the statutory sections in question, 8 U.S.C. section 1225 and 8 U.S.C. 1226. 583 U.S. at 287. The Court held that section 1225(b) "applies primarily to aliens seeking entry into the United States." Id. At 297 Then, the Court noted that section 1226 "applies to aliens already present in the United States." *Id.* At 303.

37. The Court specifically found that "Section 1226(a) creates a default rule for those aliens by permitting- but not requiring- the Attorney General to issue warrants for their arrest and detention pending removal proceedings. Section 1226(a) also permits the Attorney General to release those aliens on bond, 'except as provided in subsection (c) of this section.'" (subsection pertains to aliens who fall into categories involving criminal offenses or terrorist activities). *Id.* At 303. "Federal regulations provide that alien

detained under §1226(a) receive bond hearings at the outset of detention." *Id.* At 306; 8 CFR 236.1(d)(1), 1236.1(d)(1)

38. The Supreme Court's analysis in *Jennings* demonstrates the difference between detention of arriving aliens who are seeking entry into the United States under section 1225 and the detention of those who are already present in the United States under section 1226.

39. The BIA's erroneous interpretation of the INA defies the plain text of 8 U.S.C. §§ 1225 and 1226. A key phrase in § 1225 states that "[I]n the case of an alien who is an applicant for admission, if the examining immigration officer determines that an alien ***seeking admission*** is not clearly and beyond a doubt entitled to be admitted, the alien shall be detained for a proceeding under section 1229a[.]" 8 U.S.C. § 1225(b)(2)(A) (emphasis added). In other words, mandatory detention applies when "the individual is: (1) an 'applicant for admission'; (2) 'seeking admission'; and (3) 'not clearly and beyond a doubt entitled to be admitted.'" *Martinez*, 2025 WL 2084238, at *2.

40. The "seeking admission" language, "necessarily implies some sort of present tense action." *Martinez*, 2025 WL 2084238, at *6; *see also Matter of M- D-C-V-*, 28 I&N Dec. 18, 23 (BIA 2020) ("The use of the present progressive tense 'arriving,' rather than the past tense 'arrived,' implies some temporal or geographic limit . . . ."); *U.S. v. Wilson*, 503 U.S. 329, 333 (1992) ("Congress' use of verb tense is significant in construing statutes.").

41. In other words, the plain language of § 1225 applies to immigrants currently seeking admission into the United States at the nation's border or another point of entry. It does not apply to noncitizens "already present in the United States"—only § 1226 applies in

those cases. *See Jennings*, 583 U.S. at 303.

42. When interpreting a statute, "every clause and word . . . should have meaning." *United States ex rel. Polansky, M.D. v. Exec. Health Res., Inc.*, 599 U.S. 419, 432 (2023) (internal quotation marks and citation omitted). And "the words of the statute must be read in their context and with a view to their place in the overall statutory scheme." *Gundy v. United States*, 588 U.S. 128, 141 (2019) (quotation omitted).

43. The *Matter of Yajure Hurtado* decision requires the Court to ignore critical provisions of the INA and it also renders portions of the newly enacted provisions of the INA superfluous. "When Congress amends legislation, courts must presume it intends its amendment to have real and substantial effect." *Van Buren v. United States*, 593 U.S. 374, 393 (2021).

44. Congress passed the Laken Riley Act (the "Act") in January 2025. The Act amended several provisions of the INA, including §§ 1225 and 1226. Laken Riley Act, Pub. L. No. 119-1, 139 Stat. 3 (2025). Relevant here, the Act added a new category of noncitizens subject to mandatory detention under § 1226(c)—those already present in the United States who have also been arrested, charged with, or convicted of certain crimes. 8 U.S.C. § 1226(c)(1)(E); 8 U.S.C. § 1182(a)(6)(A). Of course, under the government's position, these individuals are already subject to mandatory detention under § 1225—rendering the amendment redundant. Likewise, mandatory-detention exceptions under § 1226(c) are meaningful only if there is a default of discretionary detention—and there is, under § 1226(a). *See Rodriguez*, 2025 WL 1193850, at *12.

45. Additionally, "[w]hen Congress adopts a new law against the backdrop of a longstanding administrative construction, the court generally presumes that the new

provision works in harmony with what came before." *Monsalvo v. Bondi*, 604 U.S. _, 145 S. Ct. 1232, 1242 (2025). Congress adopted the Act against the backdrop of decades of agency practice applying § 1226(a) to immigrants like Petitioner, who are present in the United States but have not been admitted or paroled. *Rodriguez*, 2025 WL 1193850, at *15; *Martinez*, 2025 WL 2084238, at *4; 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997) ("Despite being applicants for admission, aliens who are present without having been admitted or paroled . . . will be eligible for bond and bond redetermination.").

46. Section 1226(a) applies by default to all persons "pending a decision on whether the [noncitizen] is to be removed from the United States." Removal hearings for noncitizens under 1226(a) are held under § 1229a, which "decid[e] the inadmissibility or deportability of a[] [noncitizen]." By contrast, § 1225(b) applies to people arriving at U.S. ports of entry or who recently entered the United States.

47. The analysis and holding by the BIA in *Matter of Yajure Hurtado* has also consistently been rejected by district courts across the country over the last several months. *See, e.g.*, *G. G. v. Kaiser*, No. 1:25-CV-01471-KES-SAB (HC), 2025 WL 3254999 (E.D. Cal. Nov. 22, 2025); *Aguilar Ramos v. Soto*, No. CV 25-15315 (MAS), 2025 WL 3251447 (D.N.J. Nov. 21, 2025); *Carvalho Santos v. Larose*, No. 25-CV-3009-RSH-DDL, 2025 WL 3251575 (S.D. Cal. Nov. 21, 2025); *Chiapot Perez v. Noem*, No. 3:25-CV-3161-JES-VET, 2025 WL 3258065 (S.D. Cal. Nov. 21, 2025); *Cortez-Hernandez v. Noem*, No. 3:25-CV-3112-JES-DDL, 2025 WL 3258064 (S.D. Cal. Nov. 21, 2025); *Delcid v. Noem*, No. 1:25-CV-1366, 2025 WL 3251139 (W.D. Mich. Nov. 21, 2025); *Delgado Delgado v. Noem*, No. 1:25-CV-1249, 2025 WL 3251144 (W.D. Mich. Nov.

21, 2025); *Diaz-Villatoro v. Larose*, No. 25-CV-3087 JLS (SBC), 2025 WL 3251377 (S.D. Cal. Nov. 21, 2025); *Garcia Marroquin v. Larose*, No. 25-CV-3013-RSH-AHG, 2025 WL 3251579 (S.D. Cal. Nov. 21, 2025); *Hernandez Ramos v. Hermosillo*, No. 2:25-CV-02273-TMC, 2025 WL 3251159 (W.D. Wash. Nov. 21, 2025); *Lieogo v. Freden*, No. 6:25-CV-6615-EAW, 2025 WL 3250884 (W.D.N.Y. Nov. 21, 2025); *Lucas-Miguel v. Larose*, No. 25-CV-3022-RSH-JLB, 2025 WL 3251580 (S.D. Cal. Nov. 21, 2025); *Paredes Padilla v. Galovich*, No. 25-CV-863-JDP, 2025 WL 3251446 (W.D. Wis. Nov. 21, 2025); *Penuela Carlos v. Bondi*, No. 9:25-CV-00249-MJT-ZJH, 2025 WL 3252561 (E.D. Tex. Nov. 21, 2025); *Petit Oropeza v. Noem*, No. 1:25-CV-1343, 2025 WL 3251140 (W.D. Mich. Nov. 21, 2025); *Plascencia v. Bondi*, No. CV-25-04140-PHX-DWL (ASB), 2025 WL 3250914 (D. Ariz. Nov. 21, 2025); *Romero Garcia v. Raycraft*, No. 25-CV-13407, 2025 WL 3252286 (E.D. Mich. Nov. 21, 2025); *Soza Velasquez v. Larose*, No. 25-CV-3137 JLS (MSB), 2025 WL 3251373 (S.D. Cal. Nov. 21, 2025); *Tellez Gomez v. Bondi*, No. C25-2248-RSM, 2025 WL 3251157 (W.D. Wash. Nov. 21, 2025); *Valerio v. Joyce*, No. CV 25-17225 (ZNQ), 2025 WL 3251445 (D.N.J. Nov. 21, 2025); *Vasquez Juarez v. Noem*, No. 5:25-CV-02972-RGK-JC, 2025 WL 3251658 (C.D. Cal. Nov. 21, 2025); *Velasquez-Gomez v. Soto*, No. CV 25-17327 (BRM), 2025 WL 3251443 (D.N.J. Nov. 21, 2025); *Villa Alvarez*, No. 6:25-CV-6600-EAW, 2025 WL 3250858 (W.D.N.Y. Nov. 21, 2025); *Avalos Flores v. Noem*, No. 25-CV-03011-BAS-BLM, 2025 WL 3240807 (S.D. Cal. Nov. 20, 2025); *Betancourt Izaguirre v. Freden*, No. 25-CV-6672-EAW, 2025 WL 3246831 (W.D.N.Y. Nov. 20, 2025); *Cabrera-Cortes v. Knight*, No. 2:25-CV-01976-RFB-MDC, 2025 WL 3240971 (D. Nev. Nov. 20, 2025); *Castro Melgar v. Noem*, No. 1:25-CV-1377, 2025 WL

3240058 (W.D. Mich. Nov. 20, 2025); *Castro Sanchez v. Noem*, No. 1:25-CV-1361, 2025 WL 3237435 (W.D. Mich. Nov. 20, 2025); *Cruz Zafra v. Noem*, No. EP-25-CV-00541-DB, 2025 WL 3239526 (W.D. Tex. Nov. 20, 2025); *Duvallon Boffill v. Field Office Director, Miami Field Office*, No. 25-CV-25179-JB, 2025 WL 3246868 (S.D. Fla. Nov. 20, 2025); *Escarcega v. Olson*, No. CIV-25-1129-J, 2025 WL 3243438 (W.D. Okla. Nov. 20, 2025); *Orellana Cantarero v. Bondi*, No. 9:25-CV-00250-MJT-ZJH, 2025 WL 3252402 (E.D. Tex. Nov. 20, 2025); *Patel v. McShane*, No. CV 25-5975, 2025 WL 3241212 (E.D. Pa. Nov. 20, 2025); *Pedroso de Oliveira v. Moniz*, No. 25-CV-6663-EAW, 2025 WL 3239858 (W.D.N.Y. Nov. 20, 2025); *Rivas Alonso v. Olson*, No. 25-CV-1660, 2025 WL 3240928 (E.D. Wis. Nov. 20, 2025); *Rusu v. Noem*, No. 25 C 13819, 2025 WL 3240911 (N.D. Ill. Nov. 20, 2025); *Salinas v. Woosley*, No. 4:25-CV-121-DJH, 2025 WL 3243837 (W.D. Ky. Nov. 20, 2025); *Soto Beltran v. Raycraft*, No. 1:25-CV-1352, 2025 WL 3237429 (W.D. Mich. Nov. 20, 2025); *Sun v. Almodovar*, No. 25-CV-9262 (PKC), 2025 WL 3241268 (S.D.N.Y. Nov. 20, 2025); *Vasquez Lucero v. Soto*, No. CV 25-16737 (MCA), 2025 WL 3240895 (D.N.J. Nov. 20, 2025); *Vera Curillo v. Noem*, No. 1:25-CV-1340, 2025 WL 3235737 (W.D. Mich. Nov. 20, 2025); *Bautista v. Noem*, No. 2:25-CV-996-KCD-DNF, 2025 WL 3227482 (M.D. Fla. Nov. 19, 2025); *Ceballos Ortiz v. Raycraft*, No. 1:25-CV-1328, 2025 WL 3223771 (W.D. Mich. Nov. 19, 2025); *Cordero Esparza*, No. 1:25-CV-00601-BLW, 2025 WL 3228282 (D. Idaho Nov. 19, 2025); *Del Villar v. Noem*, No. 4:25-CV-00137-GNS, 2025 WL 3231630 (W.D. Ky. Nov. 19, 2025); *Duran Serrato v. Anderson*, No. 4:25-CV-00603-BLW, 2025 WL 3229001 (D. Idaho Nov. 19, 2025); *Elias v. Knight*, No. 1:25-CV-00594-BLW, 2025 WL 3228262 (D. Idaho Nov. 19, 2025); *Esparza Ibarra*

v. Knight, No. 1:25-CV-00597-BLW, 2025 WL 3228968 (D. Idaho Nov. 19, 2025); *Estrada Elias v. Knight*, No. 1:25-CV-00604-BLW, 2025 WL 3229013 (D. Idaho Nov. 19, 2025); *Figueroa v. Hermosillo*, No. 2:25-CV-02228-TMC, 2025 WL 3230466 (W.D. Wash. Nov. 19, 2025); *Hernandez v. Bondi*, No. 1:25-CV-00615-BLW, 2025 WL 3228976 (D. Idaho Nov. 19, 2025); *Hernandez Duran v. Bernacke*, No. 2:25-CV-02105-RFB-EJY, 2025 WL 3237451 (D. Nev. Nov. 19, 2025); *Hernandez Franco v. Raycraft*, No. 1:25-CV-1274, 2025 WL 3223780 (W.D. Mich. Nov. 19, 2025); *Hernandez Gonzalez v. Olson*, No. 25 C 13439, 2025 WL 3237190 (N.D. Ill. Nov. 19, 2025); *Lucero Ortiz v. Bernacke*, No. 2:25-CV-01833-RFB-NJK, 2025 WL 3237291 (D. Nev. Nov. 19, 2025); *Mairena-Munguia v. Arnott*, No. 6:25-CV-3318-MDH, 2025 WL 3229132 (W.D. Mo. Nov. 19, 2025); *Martinez v. Unknown Party*, No. 1:25-CV-1298, 2025 WL 3223774 (W.D. Mich. Nov. 19, 2025); *Martinez Martinez v. Knight*, No. 1:25-CV-00610-BLW, 2025 WL 3228987 (D. Idaho Nov. 19, 2025); *Miguel Ramirez v. Noem*, No. 25 C 13651, 2025 WL 3227341 (N.D. Ill. Nov. 19, 2025); *Nava Ibarra v. Noem*, No. 1:25-CV-1335, 2025 WL 3223765 (W.D. Mich. Nov. 19, 2025); *Nava Lobera v. Noem*, No. 25 CV 13593, 2025 WL 3228984 (N.D. Ill. Nov. 19, 2025); *Ndiaye v. Jamison*, No. CV 25-6007, 2025 WL 3229307 (E.D. Pa. Nov. 19, 2025); *Orozco-Martinez v. Lynch*, No. 1:25-CV-1353, 2025 WL 3223786 (W.D. Mich. Nov. 19, 2025); *Ortega Casarez v. Thompson*, No. 1:25-CV-00596-BLW, 2025 WL 3228988 (D. Idaho Nov. 19, 2025); *Ortiz Gonzalez v. Knight*, No. 1:25-CV-00602-BLW, 2025 WL 3228975 (D. Idaho Nov. 19, 2025); *Perez v. Lyons*, No. 25-CV-17186-ESK, 2025 WL 3238540 (D.N.J. Nov. 19, 2025); *Perez Camacho v. Hollinshead*, No. 1:25-CV-00593-BLW, 2025 WL 3228998 (D. Idaho Nov. 19, 2025); *Perez Sales v.*

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Rodriguez Serrano v. Noem, No. 1:25-CV-1320, 2025 WL 3122825 (W.D. Mich. Nov. 7, 2025); *Vasquez Carcamo v. Noem*, No. 2:25-CV-00922-SPC-NPM, 2025 WL 3119263 (M.D. Fla. Nov. 7, 2025); *Diaz Garcia v. Noem*, No. 1:25-CV-1712 (PTG/LRV), 2025 WL 3111223 (E.D. Va. Nov. 6, 2025); *Mirzoev v. Olson*, No. 25-CV-12969, 2025 WL 3101969 (N.D. Ill. Nov. 6, 2025); *Pacheco Carrillo v. Noem*, No. 25 C 12963, 2025 WL 3101993 (N.D. Ill. Nov. 6, 2025); *Perez v. Francis*, No. 25-CV-8112 (JGK), 2025 WL 3110459 (S.D.N.Y. Nov. 6, 2025); *Sanchez Guzman v. Noem*, 1:25-cv-13415 (N.D. Ill. Nov. 6, 2025); *Vicens-Marquez v. Soto*, No. CV 25-16906 (KSH), 2025 WL 3097496 (D.N.J. Nov. 6, 2025); *Arizmendi v. Noem*, No. 25 C 13041, 2025 WL 3089107 (N.D. Ill. Nov. 5, 2025); *Hernandez Capote v. Sec'y U.S. Dep't of Homeland Sec.*, No. 25-13128, 2025 WL 3089756 (E.D. Mich. Nov. 5, 2025); *Lopez Sarmiento v. Perry*, No. 1:25-CV-01644-AJT-WBP, 2025 WL 3091140 (E.D. Va. Nov. 5, 2025); *Romero Lopez v. Noem*, No. CV 25-16890 (SDW), 2025 WL 3101889 (D.N.J. Nov. 5, 2025); *Alonso v. Tindall*, No. 3:25-CV-652-DJH, 2025 WL 3083920 (W.D. Ky. Nov. 4, 2025); *Alvarez Ortiz v. Freden*, No. 25-CV-960-LJV, 2025 WL 3085032 (W.D.N.Y. Nov. 4, 2025); *Salgado Mendoza v. Noem*, No. 1:25-CV-1252, 2025 WL 3077589 (W.D. Mich. Nov. 4, 2025); *Tumba Huamani v. Francis*, No. 25-CV-8110 (LJL), 2025 WL 3079014 (S.D.N.Y. Nov. 4, 2025); *D.E.C.T. v. Noem*, No. 25 C 12463, 2025 WL 3063650 (N.D. Ill. Nov. 3, 2025); *Flores v. Olson*, No. 25 C 12916, 2025 WL 3063540 (N.D. Ill. Nov. 3, 2025); *Galvis Cortes v. Olsen*, No. 25 C 6293, 2025 WL 3063636 (N.D. Ill. Nov. 3, 2025); *Magallanes Sanchez v. Olson*, Case No. 25-cv-13226 (N.D. Ill. Nov. 3, 2025); *Vargas Ramos v. Rokosky*, No. 25CV15892 (EP), 2025 WL 3063588 (D.N.J. Nov. 3, 2025); *J.A.M. v. Streeval*, No. 4:25-CV-342 (CDL), 2025

WL 3050094 (M.D. Ga. Nov. 1, 2025); *Artola Arauz v. Baltazar*, No. 1:25-CV-03260-CNS, 2025 WL 3041840 (D. Colo. Oct. 31, 2025); *Escobar-Ruiz v. Raycraft*, No. 1:25-CV-1232, 2025 WL 3039255 (W.D. Mich. Oct. 31, 2025); *Garcia v. Noem*, No. 2:25-CV-00879-SPC-NPM, 2025 WL 3041895 (M.D. Fla. Oct. 31, 2025); *Godinez-Lopez v. Ladwig, et al.*, No. 2:25-CV-02962-SHL-ATC, 2025 WL 3047889 (W.D. Tenn. Oct. 31, 2025); *Perez Guerra v. Woosley*, No. 4:25-CV-119-RGJ, 2025 WL 3046187 (W.D. Ky. Oct. 31, 2025); *Ramirez v. Noem*, No. 1:25-CV-1261, 2025 WL 3039266 (W.D. Mich. Oct. 31, 2025); *Rosales Ponce v. Olson*, No. 25-CV-13037, 2025 WL 3049785 (N.D. Ill. Oct. 31, 2025); *Ruiz Mejia v. Noem*, No. 1:25-CV-1227, 2025 WL 3041827 (W.D. Mich. Oct. 31, 2025); *Valencia v. Noem*, No. 25-CV-12829, 2025 WL 3042520 (N.D. Ill. Oct. 31, 2025); *Ayala Amaya v. Bondi*, No. 25-CV-16428-ESK, 2025 WL 3033880 (D.N.J. Oct. 30, 2025); *Rojas Acevedo v. Almodovar*, No. 25-CV-7189 (LJL), 2025 WL 3034183 (S.D.N.Y. Oct. 30, 2025); *Singh v. Bondi*, No. 1:25-CV-02101-SEB-TAB, 2025 WL 3029524 (S.D. Ind. Oct. 30, 2025); *Corona Diaz v. Olson*, No. 25 CV 12141, 2025 WL 3022170 (N.D. Ill. Oct. 29, 2025); *Lopez v. Hardin*, No. 2:25-CV-830-KCD-NPM, 2025 WL 3022245 (M.D. Fla. Oct. 29, 2025); *Marin Garcia v. Noem*, No. 1:25-CV-1271, 2025 WL 3017200 (W.D. Mich. Oct. 29, 2025); *Ramirez Valverde v. Olson*, No. 25-CV-1502, 2025 WL 3022700 (E.D. Wis. Oct. 29, 2025); *Rodriguez v. Noem*, No. 1:25-CV-1196, 2025 WL 3022212 (W.D. Mich. Oct. 29, 2025); *Salgado Bustos v. Raycraft*, No. 25-13202, 2025 WL 3022294 (E.D. Mich. Oct. 29, 2025); *J.G.O. v. Francis*, No. 25-CV-7233 (AS), 2025 WL 3040142 (S.D.N.Y. Oct. 28, 2025); *Puerto-Hernandez v. Lynch*, No. 1:25-CV-1097, 2025 WL 3012033 (W.D. Mich. Oct. 28, 2025); *Duarte Escobar v. Perry*, No. 3:25CV758, 2025 WL 3006742

(E.D. Va. Oct. 27, 2025); *Garcia Picazo v. Sheehan*, No. C25-4057-LTS-MAR, 2025 WL 3006188 (N.D. Iowa Oct. 27, 2025); *Gimenez Gonzalez v. Raycraft*, No. 25-CV-13094, 2025 WL 3006185 (E.D. Mich. Oct. 27, 2025); *Martinez-Elvir v. Olson*, No. 3:25-CV-589-CHB, 2025 WL 3006772 (W.D. Ky. Oct. 27, 2025); *Orellana v. Noem*, No. 4:25-CV-112-RGJ, 2025 WL 3006763 (W.D. Ky. Oct. 27, 2025); *Sanchez v. Olson*, No. 25 CV 12453, 2025 WL 3004580 (N.D. Ill. Oct. 27, 2025); *Nava Hernandez v. Baltazar*, No. 1:25-CV-03094-CNS, 2025 WL 2996643 (D. Colo. Oct. 24, 2025); *Patel v. Crowley*, No. 25 C 11180, 2025 WL 2996787 (N.D. Ill. Oct. 24, 2025); *Rodriguez Carmona v. Noem*, No. 1:25-CV-1131, 2025 WL 2992222 (W.D. Mich. Oct. 24, 2025); *Trejo v. Warden of ERO El Paso E. Montana*, No. EP-25-CV-401-KC, 2025 WL 2992187 (W.D. Tex. Oct. 24, 2025); *Yesbincom Yobani v. Noem*, Respondents, No. 1:25-CV-01666-AJT-LRV, 2025 WL 2997507 (E.D. Va. Oct. 24, 2025); *Contreras Maldonado v. Cabezas*, No. CV 25-13004, 2025 WL 2985256 (D.N.J. Oct. 23, 2025); *De Fatima Lomeu v. Soto*, No. 25CV16589 (EP), 2025 WL 2981296 (D.N.J. Oct. 23, 2025); *Del Cid v. Bondi*, No. 3:25-CV-00304, 2025 WL 2985150 (W.D. Pa. Oct. 23, 2025); *Lopez Lopez v. Soto*, No. 2:25-CV-16303 (MEF), 2025 WL 2987485 (D.N.J. Oct. 23, 2025); *Bethancourt Soto v. Soto*, No. 25-CV-16200, 2025 WL 2976572 (D.N.J. Oct. 22, 2025); *Loa Caballero v. Baltazar*, No. 25-CV-03120-NYW, 2025 WL 2977650 (D. Colo. Oct. 22, 2025); *Martinez v. Trump*, No. CV 25-1445 SEC P, 2025 WL 3124847 (W.D. La. Oct. 22, 2025); *Padilla v. Noem*, No. 25 CV 12462, 2025 WL 2977742 (N.D. Ill. Oct. 22, 2025); *Avila v. Bondi*, No. CV 25-3741 (JRT/SGE), 2025 WL 2976539 (D. Minn. Oct. 21, 2025); *Casio-Mejia v. Raycraft*, No. 2:25-CV-13032, 2025 WL 2976737 (E.D. Mich. Oct. 21, 2025); *Contreras-Lomeli v. Raycraft*, No. 2:25-

CV-12826, 2025 WL 2976739 (E.D. Mich. Oct. 21, 2025); *Flores Pineda v. Simon*, No. 1:25-CV-01616-AJT-WEF, 2025 WL 2980729 (E.D. Va. Oct. 21, 2025); *Hernandez-Fernandez v. Lyons*, No. 5:25-CV-00773-JKP, 2025 WL 2976923 (W.D. Tex. Oct. 21, 2025); *Jimenez Garcia v. Raybon*, No. 2:25-CV-13086, 2025 WL 2976950 (E.D. Mich. Oct. 21, 2025); *Miguel v. Noem*, No. 25 C 11137, 2025 WL 2976480 (N.D. Ill. Oct. 21, 2025); *Santos Franco v. Raycraft*, No. 2:25-CV-13188, 2025 WL 2977118 (E.D. Mich. Oct. 21, 2025); *H.G.V.U. v. Smith*, No. 25 CV 10931, 2025 WL 2962610 (N.D. Ill. Oct. 20, 2025); *Gonzalez v. Joyce*, No. 25 CIV. 8250 (AT), 2025 WL 2961626 (S.D.N.Y. Oct. 19, 2025); *Contreras-Cervantes v. Raycraft*, No. 2:25-CV-13073, 2025 WL 2952796 (E.D. Mich. Oct. 17, 2025); *Diaz Sandoval v. Raycraft*, No. 2:25-CV-12987, 2025 WL 2977517 (E.D. Mich. Oct. 17, 2025); *Pacheco Mayen v. Raycraft*, No. 2:25-CV-13056, 2025 WL 2978529 (E.D. Mich. Oct. 17, 2025); *Sanchez Alvarez v. Noem*, No. 1:25-CV-1090, 2025 WL 2942648 (W.D. Mich. Oct. 17, 2025); *Hernandez v. Crawford*, No. 1:25-CV-01565-AJT-WBP, 2025 WL 2940702 (E.D. Va. Oct. 16, 2025); *Ochoa Ochoa v. Noem*, No. 25 CV 10865, 2025 WL 2938779 (N.D. Ill. Oct. 16, 2025); *Vieira v. De Anda-Ybarra*, No. EP-25-CV-00432-DB, 2025 WL 2937880 (W.D. Tex. Oct. 16, 2025); *Merino v. Ripa*, No. 25-23845-CIV, 2025 WL 2941609 (S.D. Fla. Oct. 15, 2025); *Puga v. Assistant Field Off. Dir., Krome N. Serv. Processing Ctr.*, No. 25-24535-CIV, 2025 WL 2938369 (S.D. Fla. Oct. 15, 2025); *Teyim v. Perry*, No. 1:25-CV-01615-MSN-WEF, 2025 WL 2950183 (E.D. Va. Oct. 15, 2025); *Singh v. Lyons*, No. 1:25-CV-01606-AJT-WBP, 2025 WL 2932635 (E.D. Va. Oct. 14, 2025); *Alejandro v. Olson*, No. 1:25-CV-02027-JPH-MKK, 2025 WL 2896348 (S.D. Ind. Oct. 11, 2025); *Ballestros v. Noem*, No. 3:25-CV-594-RGJ, 2025 WL

2880831 (W.D. Ky. Oct. 9, 2025); *B.D.V.S. v. Forestal*, No. 1:25-CV-01968-SEB-TAB, 2025 WL 2855743 (S.D. Ind. Oct. 8, 2025); *Covarrubias v. Vergara*, No. 5:25-CV-112, 2025 WL 2950097 (S.D. Tex. Oct. 8, 2025); *Eliseo A.A. v. Olson*, No. CV 25-3381 (JWB/DJF), 2025 WL 2886729 (D. Minn. Oct. 8, 2025); *Buenrostro-Mendez v. Bondi*, No. CV H-25-3726, 2025 WL 2886346 (S.D. Tex. Oct. 7, 2025); *N.A. v. LaRose*, No. 25-CV-2384-RSH-BLM, 2025 WL 2841989 (S.D. Cal. Oct. 7, 2025); *S.D.B.B. v. Johnson*, No. 1:25-CV-882, 2025 WL 2845170 (M.D.N.C. Oct. 7, 2025); *Hyppolite v. Noem*, No. 25-CV-4304 (NRM), 2025 WL 2829511 (E.D.N.Y. Oct. 6, 2025); *Artiga v. Genalo*, No. 25-CV-5208 (OEM), 2025 WL 2829434 (E.D.N.Y. Oct. 5, 2025); *Patel v. Tindall*, No. 3:25-CV-373-RGJ, 2025 WL 2823607 (W.D. Ky. Oct. 3, 2025); *Santiago v. Noem*, No. EP-25-CV-361-KC, 2025 WL 2792588 (W.D. Tex. Oct. 2, 2025); *Belsai D.S. v. Bondi*, No. 25-CV-3682 (KMM/EMB), 2025 WL 2802947 (D. Minn. Oct. 1, 2025); *Helbrum v. Williams Olson*, No. 4:25-CV-00349-SHL-SBJ, 2025 WL 2840273 (S.D. Iowa Sept. 30, 2025); *Quispe-Ardiles v. Noem*, No. 1:25-CV-01382-MSN-WEF, 2025 WL 2783800 (E.D. Va. Sept. 30, 2025); *J.U. v. Maldonado*, No. 25-CV-04836 (OEM), 2025 WL 2772765 (E.D.N.Y. Sept. 29, 2025); *Quispe V. Crawford*, No. 1:25-CV-1471-AJT-LRV, 2025 WL 2783799 (E.D. Va. Sept. 29, 2025); *Zumba v. Bondi*, No. 25-CV-14626 (KSH), 2025 WL 2753496 (D.N.J. Sept. 26, 2025); *Barrajas v. Noem*, No. 4:25-CV-00322-SHL-HCA, 2025 WL 2717650 (S.D. Iowa Sept. 23, 2025); *Giron Reyes v. Lyons*, No. C25-4048-LTS-MAR, 2025 WL 2712427 (N.D. Iowa Sept. 23, 2025); *Lepe v. Andrews*, No. 1:25-CV-01163-KES-SKO (HC), 2025 WL 2716910 (E.D. Cal. Sept. 23, 2025); *Roman v. Noem*, No. 2:25-CV-01684-RFB-EJY, 2025 WL 2710211 (D. Nev. Sept. 23, 2025); *Campos Leon v. Forestal*, No. 1:25-CV-01774-

SEB-MJD, 2025 WL 2694763 (S.D. Ind. Sept. 22, 2025); *Chogllo Chafla v. Scott*, No. 2:25-CV-00437-SDN, 2025 WL 2688541 (D. Me. Sept. 22, 2025); *Lopez-Arevelo v. Ripa*, No. EP-25-CV-337-KC, 2025 WL 2691828 (W.D. Tex. Sept. 22, 2025); *Singh v. Lewis*, No. 4:25-CV-96-RGJ, 2025 WL 2699219 (W.D. Ky. Sept. 22, 2025); *Lema v. Scott*, Case No. 2:25-cv-00439 (D. Me. Sept. 21, 2025); *Tamay v. Scott*, Case No. 2:25-cv-00438 (D. Me. Sept. 21, 2025); *Barrera v. Tindall*, No. 3:25-CV-541-RGJ, 2025 WL 2690565 (W.D. Ky. Sept. 19, 2025); *Chiliquinga Yumbillo v. Stamper*, No. 2:25-CV-00479-SDN, 2025 WL 2688160 (D. Me. Sept. 19, 2025); *Hasan v. Crawford*, No. 1:25-CV-1408 (LMB/IDD), 2025 WL 2682255 (E.D. Va. Sept. 19, 2025); *Arce v. Trump*, No. 8:25CV520, 2025 WL 2675934 (D. Neb. Sept. 18, 2025); *Castellanos v. Kaiser*, No. 25-CV-07962, 2025 WL 2689853 (N.D. Cal. Sept. 18, 2025); *Espinoza v. Kaiser*, No. 1:25-CV-01101 JLT SKO, 2025 WL 2675785 (E.D. Cal. Sept. 18, 2025); *Hilario Rodriguez v. Moniz*, No 25-12358 (D. Mass. Sept. 18, 2025); *Oliveros v. Kaiser*, No. 25-CV-07117-BLF, 2025 WL 2677125 (N.D. Cal. Sept. 18, 2025); *Salazar v. Dedos*, No. 1:25-CV-00835-DHU-JMR, 2025 WL 2676729 (D.N.M. Sept. 17, 2025); *Vazquez v. Feeley*, No. 2:25-CV-01542-RFB-EJY, 2025 WL 2676082 (D. Nev. Sept. 17, 2025); *Garcia Cortes v. Noem*, No. 1:25-CV-02677-CNS, 2025 WL 2652880 (D. Colo. Sept. 16, 2025); *Munoz Materano v. Arteta*, No. 25 CIV. 6137 (ER), 2025 WL 2630826 (S.D.N.Y. Sept. 12, 2025); *Salcedo Aceros v. Kaiser*, No. 25-CV-06924-EMC (EMC), 2025 WL 2637503 (N.D. Cal. Sept. 12, 2025); *Carlon v. Kramer*, No. 4:25CV3178, 2025 WL 2624386 (D. Neb. Sept. 11, 2025); *Lopez Santos v. Noem*, No. 3:25-CV-01193, 2025 WL 2642278 (W.D. La. Sept. 11, 2025); *Palma v. Trump*, No. 4:25CV3176, 2025 WL 2624385 (D. Neb. Sept. 11, 2025); *Perez v. Kramer*, No.

4:25CV3179, 2025 WL 2624387 (D. Neb. Sept. 11, 2025); *Hernandez Marcelo v. Trump*, No. 3:25-CV-00094-RGE-WPK, 2025 WL 2741230 (S.D. Iowa Sept. 10, 2025); *Guzman v. Andrews*, No. 1:25-CV-01015-KES-SKO (HC), 2025 WL 2617256 (E.D. Cal. Sept. 9, 2025); *Hinestroza v. Kaiser*, No. 25-CV-07559-JD, 2025 WL 2606983 (N.D. Cal. Sept. 9, 2025); *Pizarro Reyes v. Raycraft*, No. 25-CV-12546, 2025 WL 2609425 (E.D. Mich. Sept. 9, 2025); *Sampiao v. Hyde*, No. 1:25-CV-11981-JEK, 2025 WL 2607924 (D. Mass. Sept. 9, 2025); *Jimenez v. FCI Berlin, Warden*, No. 25-CV-326-LM-AJ, 2025 WL 2639390 (D.N.H. Sept. 8, 2025); *Martinez v. Noem*, No. 5:25-CV-01007-JKP, 2025 WL 2598379 (W.D. Tex. Sept. 8, 2025) (finding section 1225 does not apply); *Mosqueda v. Noem*, No. 5:25-CV-02304 CAS (BFM), 2025 WL 2591530 (C.D. Cal. Sept. 8, 2025); *Doe v. Moniz*, No. 1:25-CV-12094-IT, 2025 WL 2576819 (D. Mass. Sept. 5, 2025); *Herrera v. Knight*, No. 2:25-CV-01366-RFB-DJA, 2025 WL 2581792 (D. Nev. Sept. 5, 2025); *Carmona-Lorenzo v. Trump*, No. 4:25CV3172, 2025 WL 2531521 (D. Neb. Sept. 3, 2025); *Fernandez v. Lyons*, No. 8:25CV506, 2025 WL 2531539 (D. Neb. Sept. 3, 2025); *Garcia v. Noem*, No. 25-CV-02180-DMS-MMP, 2025 WL 2549431 (S.D. Cal. Sept. 3, 2025); *Hernandez Nieves v. Kaiser*, No. 25-CV-06921-LB, 2025 WL 2533110 (N.D. Cal. Sept. 3, 2025); *Perez v. Berg*, No. 8:25CV494, 2025 WL 2531566 (D. Neb. Sept. 3, 2025); *Lopez-Campos v. Raycraft*, No. 2:25-CV-12486, 2025 WL 2496379 (E.D. Mich. Aug. 29, 2025); *Tiburcio Garcia v. Bondi*, 25-CV-03219 (D. Minn. Aug. 29, 2025); *Jose J.O.E. v. Bondi*, No. 25-CV-3051 (ECT/DJF), 2025 WL 2466670 (D. Minn. Aug. 27, 2025); *Kostak v. Trump*, No. CV 3:25-1093, 2025 WL 2472136 (W.D. La. Aug. 27, 2025); *Leal-Hernandez v. Noem*, No. 1:25-CV-02428-JRR, 2025 WL 2430025 (D. Md. Aug.

24, 2025); *Aguilar Vazquez v. Bondi*, 25-cv-03162 (D. Minn. Aug 19, 2025); *Jacinto v. Trump*, No. 4:25CV3161, 2025 WL 2402271 (D. Neb. Aug. 19, 2025); *Romero v. Hyde*, No. CV 25-11631-BEM, 2025 WL 2403827 (D. Mass. Aug. 19, 2025); *Samb v. Joyce*, No. 25 CIV. 6373 (DEH), 2025 WL 2398831 (S.D.N.Y. Aug. 19, 2025); *Ferrera Bejarano v. Bondi*, 25-cv-03236 (D. Minn. Aug 18, 2025); *Arrazola-Gonzalez v. Noem*, No. 5:25-CV-01789-ODW (DFMX), 2025 WL 2379285 (C.D. Cal. Aug. 15, 2025); *Maldonado v. Olson*, No. 25-CV-3142 (SRN/SGE), 2025 WL 2374411 (D. Minn. Aug. 15, 2025); *Anicasio v. Kramer*, No. 4:25CV3158, 2025 WL 2374224 (D. Neb. Aug. 14, 2025); *dos Santos v. Noem*, No. 1:25-CV-12052-JEK, 2025 WL 2370988 (D. Mass. Aug. 14, 2025); *Garcia Jimenez v. Kramer*, No. 4:25CV3162, 2025 WL 2374223 (D. Neb. Aug. 14, 2025); *Lopez Benitez v. Francis*, No. 25 CIV. 5937 (DEH), 2025 WL 2371588 (S.D.N.Y. Aug. 13, 2025); *Rosado v. Figueroa*, No. CV 25-02157 PHX DLR (CDB), 2025 WL 2337099 (D. Ariz. Aug. 11, 2025); *Martinez v. Hyde*, No. CV 25-11613-BEM, 2025 WL 2084238 (D. Mass. July 24, 2025); *Gomes v. Hyde*, No. 1:25-CV-11571-JEK, 2025 WL 1869299 (D. Mass. July 7, 2025); *Aditya W.H. v. Trump,* 782 F. Supp. 3d 691 (D. Minn. 2025); *Rodriguez v. Bostock*, 779 F. Supp. 3d 1239 (W.D. Wash. 2025); *see also* Inspection and Expedited Removal of Aliens, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997) (explaining that "[d]espite being applicants for admission, aliens who are present without having been admitted or paroled (formerly referred to as aliens who entered without inspection) will be eligible for bond and bond redetermination").

48. This Court is not required to give deference to the recent Board decision. In *Loper Bright*, the Supreme Court was clear that "[c]ourts must exercise their independent judgment in deciding

whether an agency has acted within its statutory authority," and indeed "may not defer to an agency interpretation of the law simply because a statute is ambiguous." *Loper Bright Enters. v. Raimondo*, 603 U.S. 369, 412 (2024). Rather, this Court can simply look to the Supreme Court's own words in *Jennings* that held that for decades, § 1225 has applied only to noncitizens "seeking admission into the country"—i.e., new arrivals, and that this contrasts with § 1226, which applies to noncitizens "already in the country." *Jennings v. Rodriguez*, 583 U.S. 281, 289 (2018).

Claims for Relief

FIRST CAUSE OF ACTION

Violation of the Due Process Clause of the Fifth Amendment
of the United States Constitution

49. Petitioner repeats and incorporates by reference all allegations above as though set forth fully herein.

50. The Due Process Clause asks whether the government's deprivation of a person's life, liberty, or property is justified by a sufficient purpose. Here, there is no question that the government has deprived Petitioner of his liberty by refusing him the opportunity to request a bond hearing.

51. The government's detention of Petitioner is unjustified. Respondents have not demonstrated that Petitioner needs to be detained. *See Zadvydas*, 533 U.S. at 690 (finding immigration detention must further the twin goals of (1) ensuring the noncitizen's appearance during removal proceedings and (2) preventing danger to the community). There is no credible argument that Petitioner cannot be safely released back to his community and family.

52. The *Matter of Yajure Hurtado* decision wrongly interprets the Immigration and

Nationality Act.

53. This Court is not required to give deference to *Matter of Yajure Hurtado*. In *Loper Bright*, the Supreme Court was clear that "[c]ourts must exercise their independent judgment in deciding whether an agency has acted within its statutory authority," and indeed "may not defer to an agency interpretation of the law simply because a statute is ambiguous." *Loper Bright Enters. v. Raimondo*, 603 U.S. 369, 412 (2024).

54. Rather, this Court can simply look to the Supreme Court's own words in *Jennings* that held that for decades, § 1225 has applied only to noncitizens "seeking admission into the country"—i.e., new arrivals, and that this contrasts with § 1226, which applies to noncitizens "already in the country." *Jennings v. Rodriguez*, 583 U.S. 281, 289 (2018). By keeping Petitioner detained today, his detention is unconstitutional as applied to him and in violation of his due process rights. Petitioner should have the opportunity to have a bond hearing before an Immigration Judge.

55. By issuing its decision in *Matter of Yajure Hurtado*, the BIA has taken nearly all bond authority away from Immigration Judges.

56. For these reasons, Petitioner's detention violates the Due Process Clause of the Fifth Amendment.

SECOND CAUSE OF ACTION

Violation of the Immigration and Nationality Act

57. Petitioner repeats and incorporates by reference all allegations above as though fully set forth fully herein.

58. Petitioner has been detained and will not be afforded the opportunity to have a bond redetermination hearing before an Immigration Judge pursuant to *Matter of Yajure*

Hurtado.

59. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does not apply to all noncitizens residing in the United States who are subject to the grounds of inadmissibility. Mandatory detention does not apply to those who previously entered the country and have been residing in the United States prior to being apprehended and placed in removal proceedings by Respondents. Such noncitizens are detained under § 1226(a) and are eligible for release on bond, unless they are subject to § 1225(b)(1), § 1226(c), or § 1231.

100. The BIA has wrongfully issued its decision in *Matter of Yajure Hurtado* finding all noncitizens, such as Petitioner, are subject to mandatory detention under § 1225(b)(2).

101. The unlawful application of § 1225(b)(2) to Petitioner violates the INA.

Prayer for Relief

WHEREFORE, Petitioner respectfully request that this Honorable Court:

A. Accept jurisdiction over this action;

B. Declare that Respondents' actions to detain Petitioner violate the Due Process Clause of the Fifth Amendment and violates the Immigration and Nationality Act;

C. Issue a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 and order the immediate release of Petitioner or order Respondents to schedule a bond hearing for Petitioner's removal proceedings within 5 days of the order and accept jurisdiction to issue a bond order;

D. Award reasonable attorneys' fees and costs for this action; and

E. Grant such further relief as the Court deems just and proper.

Dated: November 24, 2025

Respectfully Submitted,

/s/ Jennifer Peyton

Jennifer Peyton, Esq.
KRIEZELMAN
BURTON & ASSOCIATES
200 West Adams Street, Suite 2211
Chicago, Illinois 60606
(312) 332-2550,
jpeyton@krilaw.com
Attorney No. OH 0069675
Attorney for Petitioner