IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 25-cv-03805-RBJ-TPO

HERBERT ORLANDO VELAZQUEZ DE LEON,

Petitioner,

v.

JUAN BALTAZAR, Warden of the Denver Contract Detention Facility, Aurora, Colorado, in his official capacity;
ROBERT HAGAN, Field Office Director, Denver Field Office, U.S. Immigration and Customs Enforcement, in his official capacity;
KRISTI NOEM, Secretary, U.S. Department of Homeland Security, in her official capacity;
TODD LYONS, Acting Director of U.S. Immigration and Customs Enforcement, in his official capacity; and
PAM BONDI, Attorney General, U.S. Department of Justice, in her official capacity,

Respondents.

COMBINED RESPONSE TO PETITIONER'S MOTION FOR TEMPORARY RESTRAINING ORDER AND/OR PRELIMINARY INJUNCTION (ECF No. 10) AND VERIFIED PETITION FOR WRIT OF HABEAS CORPUS (ECF No. 1)

Respondents submit this combined response to Petitioner's Motion for Temporary Restraining Order and/or Preliminary Injunction, ECF No. 10 (filed 11/25/25), and his Verified Petition for Writ of Habeas Corpus, ECF No. 1 (filed 11/24/25). The Court should deny the Petition because Petitioner's detention is authorized by statute, and his other challenges fail.

INTRODUCTION

This case involves a question of statutory interpretation. The Department of Homeland Security ("DHS") is detaining Petitioner under a statutory provision of the Immigration and Nationality Act ("INA"), 8 U.S.C. § 1225(b)(2)(A), that applies to noncitizens who, like

Petitioner, entered the United States without inspection and have never been admitted, and thus are deemed as "applicants for admission" by law. Section 1225(b)(2)(A) requires detention of an "applicant for admission" if an "examining immigration officer determines that [the] alien seeking admission is not clearly and beyond a doubt entitled to be admitted."

Petitioner claims he is not an applicant for admission subject to § 1225(b)(2)(A) but is instead subject to a different provision, 8 U.S.C. § 1226(a), which is a catchall provision that also authorizes detention of certain noncitizens while removal proceedings are pending. The practical difference between the two sections is that noncitizens detained under § 1225(b)(2)(A) are ordinarily *not* eligible for bond hearings, while those detained under § 1226(a) are. Based on the premise that Petitioner's detention is governed by § 1226(a) (and thus entitles him to a bond hearing), he requests a bond hearing or immediate release. ECF No. 10 at 1; ECF No. 1 at 17.

The Court should find that Petitioner is an applicant for admission within the scope of § 1225(b)(2) based on the text of the statute and the Supreme Court's interpretation of that statute in *Jennings v. Rodriguez*, 583 U.S. 281 (2018). Respondents recognize that numerous nonprecedential decisions have reasoned otherwise. But as explained below, a close reading of the text and the Supreme Court's explanation in *Jennings* of the scope of § 1225 supports Respondents' view.

The Court should deny Petitioner's requests for relief, because he is subject to 8 U.S.C. § 1225(b)(2)(A) and thus does not have, as he claims, a right to a bond hearing.

BACKGROUND

I. Factual background

Petitioner is a native and citizen of Mexico. **Exhibit 1**, Quinones Decl. ¶ 4. On October 6,

2016, U.S. Customs and Border Protection granted voluntary return to Petitioner after he illegally entered the United States. *Id.* ¶ 5. Plaintiff was never admitted to, or paroled into, the United States. *Id.* ¶¶ 6-7. On November 17, 2025, ICE detained Petitioner when he was released from state custody. *Id.* ¶¶ 10-11. Petitioner was charged with being deportable as an alien present in the United States without being admitted or paroled. *Id.* ¶ 13. He is being detained pursuant to 8 U.S.C. § 1225(b)(2)(A). *Id.* ¶ 12. On November 21, 2025, Petitioner appeared before an immigration judge for a custody determination hearing, and Petitioner withdrew his request for custody redetermination. *Id.* ¶ 14. His removal proceedings remain pending, with the next scheduling hearing on January 9, 2026. *Id.* ¶¶ 15-18.

II. Procedural background

On November 24, 2025, Petitioner filed the Petition, which challenges his detention as violating (1) the provisions regarding detention in § 1226(a); (2) the regulations implementing § 1226; (3) the APA insofar as he is detained under § 1225; and (4) due process. ECF No. 1 at 14-16. He argues that he is not subject to § 1225 (which provides for mandatory detention) and that he is instead subject to § 1226 (which provides for the possibility of release on bond). *See id.* at 4-13; ECF No. 10 at 7-15. The Court ordered Respondents to respond to the Petition and the Motion. ECF No. 13 at 4.

ARGUMENT

I. The statutory interpretation question in this case has not been resolved as to Petitioner by a recent ruling in the Central District of California.

Petitioner filed a notice of supplemental authority, stating that a district court in California "certified a nationwide class and extended declaratory judgment to the certified class" on the statutory interpretation question presented in this case. *See* ECF No. 11 at 1. But the

district court in that case has not entered a final order, and the parties are currently seeking clarification of the order from the court. Thus, the statutory interpretation question at issue here has not yet been resolved as to Petitioner.

In *Maldonado Bautista v. Santacruz*, a judge in the U.S. District Court for the Central District of California certified a nationwide class ("Bond Eligible Class") under Rule 23(b)(2), consisting of detained noncitizens "without lawful status who (1) have entered . . . without inspection; (2) were not . . . apprehended upon arrival; and (3) are not . . . subject to detention under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231 . . . ." *Maldonado Bautista v. Santacruz*, --- F.R.D. ----, No. 25-cv-01873-SSS-BFM, 2025 WL 3288403, at *9 (C.D. Cal. Nov. 25, 2025). In the same order, the court stated that it "extends the same declaratory relief granted to Petitioners to the Bond Eligible Class as a whole" in its "MSJ Order." *Id.* In the "MSJ Order," the court's prior ruling on the individual petitioners' motion for partial summary judgment, the court had "determined that Respondents' interpretation of the INA cannot be squared with the statutory text and statutory scheme, and articulated the proper interpretation of the INA that applies to Petitioners." *Id.* at *7; *see also Maldonado Bautista v. Santacruz*, No. 25-cv-01873-SSS-BFM, --- F. Supp. 3d ----, 2025 WL 3289861, at *6-11 (C.D. Cal. Nov. 20, 2025) (agreeing with the petitioners that "§ 1226(a)—not § 1225(b)(2)—applies to them and those similarly situated"). The petitioners have since sought clarification from the district court about its class certification order and the "MSJ Order." *See Maldonado Bautista*, No. 25-cv-01873-SSS-BFM, ECF Nos. 87 (motion), 90 (opposition), 91 (reply).

As of this writing, that court has not entered a final judgment, *see Maldonado Bautista*, 2025 WL 3289861, at *11 (denying the request to enter final judgment), and has instead set a

status conference for January 16, 2026, to determine "how the parties will proceed with this matter." *Maldonado Bautista*, 2025 WL 3288403, at *10. The *Bautista* court's opinion and partial grant of summary judgment thus does not yet constitute a final judgment with preclusive effect. *See, e.g.*, Fed. R. Civ. P. 54(b) (second sentence). As a non-final order, that court's ruling does not have preclusive effect in this case. *See Dodge v. Cotter Corp.*, 203 F.3d 1190, 1198 (10th Cir. 2000) (explaining that one element that must be met before collateral estoppel applies is that "the prior action has been finally adjudicated on the merits").

Respondents further note that a class of noncitizens "who are, or will be, arrested or detained . . . under . . . § 1225[(b)(2)(A)]" in Colorado has been conditionally certified in *Mendoza Gutierrez v. Baltasar*, No. 25-cv-02720-RMR, 2025 WL 3251143, at *1, *7 (D. Colo. Nov. 21, 2025). Merits briefing on the petitioner's declaratory relief claim (whether detention of class members under § 1225 is unlawful) was completed by December 15, 2025. *See id.* at *5, *7; *see also Mendoza Gutierrez*, No. 25-cv-02720-RMR, ECF Nos. 49, 58 & 69. The government has filed an appeal in that case. *See id.*, ECF No. 68.

No rulings to date in those cases are dispositive or controlling in this case. Additionally, because injunctive relief is not available on a class-wide basis in this context, *see* 8 U.S.C. § 1252(f)(1), no judgment in either case will grant Petitioner the injunctive relief he seeks here.

II. The Supreme Court's *Jennings* decision supports concluding that 8 U.S.C. § 1225(b)(2)(A) applies to noncitizens who entered without inspection and remain unlawfully present.

The question in this case is whether Petitioner is within the set of noncitizens to which 8 U.S.C. § 1225(b)(2) applies. The Supreme Court analyzed the scope of § 1225 in *Jennings*, which concerned whether certain noncitizens are entitled to periodic bond hearings during

prolonged detention. Because in that case, and this one, "[t]he primary issue [wa]s the proper interpretation of §§1225(b), 1226(a), and 1226(c)," *Jennings*, 583 U.S. at 289, the Supreme Court's explanation of § 1225's scope should guide the Court's analysis here.

The *Jennings* decision established the following:

First, 8 U.S.C. § 1225 applies to "applicants for admission," a term of art that includes aliens who are unlawfully present but were never admitted. Section 1225 provides in relevant part: "An alien present in the United States who has not been admitted . . . *shall be deemed* for purposes of this chapter an applicant for admission." 8 U.S.C. § 1225(a)(1) (emphasis added). The *Jennings* Court explained that § 1225 applies to "applicants for admission," and that term applies to *both* (a) an arriving alien as well as (b) an individual who is *present* in this country but has not been "admitted" through a lawful entry at a port of entry.[1] *Jennings*, 583 U.S. at 287.

The Court in *Jennings* recognized that the statute uses the term "applicant for admission" as a term of art. "Under … 8 U.S.C. § 1225, an alien who 'arrives in the United States,' or 'is present' in this country but 'has not been admitted,' is *treated as* 'an applicant for admission.'" *Id.* (emphasis added). In other words, noncitizens who are present in the country and were never lawfully admitted are "deemed" to be "applicants for admission." 8 U.S.C. § 1225(a)(1).

Petitioner argues that § 1225 should be construed as limited to just those newly arriving in the United States. Specifically, he argues that § 1225(b)(2)(A) does not apply to noncitizens "who were not apprehended while 'arriving.'" ECF No. 10 at 2; *see also id.* at 9-11. But that

[1] The INA defines "admission" to mean "lawful entry of the alien into the United States *after inspection and authorization* by an immigration officer." 8 U.S.C. § 1101(a)(13)(A) (emphasis added).

reading of § 1225(b)(2)(A)—that it extends only to *new* arrivals—does not comport with the INA's text and does not make sense in the context of the whole section. For example, § 1225(b)(1)(A)(i) is not limited to noncitizens "arriving in the United States" who are rendered inadmissible for the specified reasons (*i.e.*, misrepresentation or lack of a valid entry document). Instead, § 1225(b)(1)(A)(i) also applies, through its reference to § 1225(b)(1)(A)(iii), to some noncitizens who have *already* been residing in the United States and are inadmissible for the same reasons—that is, applicants for admission who have "not been admitted or paroled" and have not "affirmatively shown, to the satisfaction of an immigration officer, that [they] ha[ve] been physically present in the United States continuously for the 2-year period immediately prior to the date of the determination of inadmissibility under this subparagraph." 8 U.S.C. § 1225(b)(1)(A)(iii)(II). This provision would make little sense if § 1225(b) applied only to newly arriving individuals.

Second, "applicants for admission" are not limited to noncitizens who have submitted an immigration application. The *Jennings* Court's discussion of "applicant for admission" as a term of art made clear that the term "applicant for admission" is not limited to noncitizens who have submitted some type of immigration application. Rather, as the Court explained, there are two criteria to be an applicant for admission: an alien who (1) "'is present' in this country" but (2) "'has not been admitted' is *treated as* 'an applicant for admission.'" *Id.* at 287 (emphasis added).

Elsewhere in § 1225, the *status* of being an applicant for admission is recognized as only one way that a noncitizen may be "seeking admission." The statute states, "[a]ll aliens … who are applicants for admission *or otherwise seeking admission* . . . shall be inspected by

immigration officers." 8 U.S.C. § 1225(a)(3). Section 1225 thus confirms that a noncitizen can "seek[] admission" simply by meeting the definition of an applicant for admission *or* he can "otherwise" seek admission by directly applying for admission.

Petitioner points to the phrase "seeking admission" in § 1225(b)(2)(A) to argue that this section should be interpreted to be limited to noncitizens who are *actively* taking some step to gain admission to the United States. ECF No. 10 at 10-12. But as explained above, the Court in *Jennings* defined who is treated as an "applicant for admission," and imposed no additional requirement that the person has filed an application. *See also* 8 U.S.C. § 1225(a)(1) ("An alien present in the United States who has not been admitted . . . shall be deemed . . . an applicant for admission."); *Rojas v. Olson*, No. 25-cv-1437-bhl, 2025 WL 3033967, at *8 (E.D. Wis. Oct. 30, 2025) (stating that the "seeking admission" language "is best read as simply another way of referring to aliens who are applicants for admission").

The statute does not suggest otherwise. Section 1225(b)(1) contains no "seeking admission" language. Its detention provision applies, in the Attorney General's discretion, even to some noncitizens who are not "arriving" at the time of their inspection by an immigration officer. *See* 8 U.S.C. § 1225(b)(1)(A)(i) (applying to an "alien . . . who is arriving in the United States *or* is described in clause (iii)" (emphasis added)); *id.* § 1225(b)(1)(A)(iii) (describing a noncitizen "who has not been admitted or paroled into the United States . . . who has not affirmatively shown" that they have "been physically present in the United States continuously for the 2-year period immediately prior to the date of determination of inadmissibility").

Third, Section 1225(b) applies to *all* applicants for admission, not just arriving aliens or those who unlawfully entered the United States recently. The *Jennings* Court's

discussion of § 1225's scope supports the view that "applicants for admission" does not *exclude* individuals who entered the United States years ago.

The Court explained that the *first* subsection of § 1225(b), § 1225(b)(1), applies to two subcategories of applicants—categories that do not include Petitioner and are not relevant in this case. *See Jennings*, 583 U.S. at 287 (citing § 1225(b)(1)(A)(i)). The Court then explained that *all* applicants for admission who fall outside those narrow two subcategories in § 1225(b)(1) are covered by the *second* subsection of § 1225(b)—*i.e.*, § 1225(b)(2). It described 1225(b)(2) as a "*catchall* provision that applies to *all* applicants for admission not covered by § 1225(b)(1) . . . ." 583 U.S. at 287 (emphasis added).

Thus, a noncitizen who (like Petitioner) meets the general definition of "applicant for admission" (*e.g.*, an individual who is unlawfully present in the United States and has not been admitted) but does not fall within the § 1225(b)(1) subcategories is still an "applicant for admission" who falls under the "catchall" provision of § 1225(b)(2). *See id.*

Fourth, in § 1225, Congress did not grant applicants for admission a right to a bond hearing. The *Jennings* Court recognized that § 1225 does not provide a bond hearing for noncitizens detained under that provision. It explained that Congress has provided that noncitizens covered by § 1225(b)(2) generally "shall be detained" during their removal proceedings, with narrow exceptions. *Jennings*, 583 U.S. at 287-88 (quoting 8 U.S.C. § 1225(b)(2)(A)). Under § 1225(b)(2)(A), all other applicants for admission who an immigration officer determines are "not clearly and beyond a doubt entitled to be admitted" shall be detained for removal proceedings under 8 U.S.C. § 1229a.

Fifth, Section 1226, in contrast, provides for detention, and bond hearings, for *other*

categories of noncitizens subject to removal. The Court in *Jennings* recognized that a different statutory provision—§ 1226(a)—governed the detention of other noncitizens, including those who *had* been "admitted." The Court explained:

> Even once inside the United States, aliens do not have an absolute right to remain here. For example, an alien present in the country may still be removed if he or she falls 'within one or more ... classes of deportable aliens.' § 1227(a). That includes aliens who were inadmissible at the time of entry or who have been convicted of certain criminal offenses *since admission*. See §§ 1227(a)(1), (2).

Jennings, 583 U.S. at 288 (emphasis added).

In other words, § 1226(a) extends to noncitizens who have been admitted (such as noncitizens who were admitted on a visa, and then overstayed). The Court did *not* suggest that § 1226(a) governs the detention of noncitizens who are covered by § 1225(b)(2). Rather, the Court appeared to recognize that these *two* provisions—1225(b)(2) and 1226(a)—authorize detention for *different* sets of individuals: the detention of noncitizens covered by § 1225 is authorized by § 1225, and *other* individuals in the country not covered by § 1225 may be detained under § 1226.

Indeed, the *Jennings* Court distinguished between these detention authorities:

> U.S. immigration law authorizes the Government to detain certain aliens seeking admission into the country under §§ 1225(b)(1) and (b)(2). It also authorizes the Government to detain certain aliens already in the country pending the outcome of removal proceedings under §§ 1226(a) and (c).

583 U.S. at 289. The *Jennings* Court did *not* suggest that noncitizens who are properly covered by § 1225 (where Congress has not authorized bond) should instead governed by the detention authority set forth in § 1226(a)—the provision where Congress *has* expressly authorized bond.

III. The legislative history further supports this view of § 1225's scope.

Congress enacted the Illegal Immigration Reform and Immigration Responsibility Act of

1996 ("IIRIRA") to stop conferring greater privileges and benefits on those who entered the United States unlawfully as compared to those who lawfully present themselves for inspection at a port of entry. H.R. Rep. No. 104-469, pt. 1, at 225 (1996) ("H. Rep.") ("illegal aliens who have entered the United States without inspection gain equities and privileges in immigration proceedings that are not available to aliens who present themselves for inspection"). The Act had the goal of "ensur[ing] that all immigrants who have not been lawfully admitted, regardless of their legal presence in the country, are placed on equal footing in removal proceedings under the INA . . . ." *Torres v. Barr*, 976 F.3d 918, 928 (9th Cir. 2020) (en banc). Thus, in enacting what is now 8 U.S.C. § 1225, which requires the detention of any alien "who is an applicant for admission," and defines that term to encompass any alien present in the United States who has not been admitted following inspection by immigration authorities, the "pivotal factor in determining an alien's status" would be "whether or not the alien has been *lawfully* admitted." H. Rep. at 225 (emphasis added).

IV. Petitioner's arguments that Section 1226 applies to him are unavailing.

Under the framework described in *Jennings*, Petitioner is an applicant for admission properly detained under § 1225(b)(2)(A). He does not show otherwise.

Specific provisions control over general ones. Petitioner argues that § 1225(b)(2)(A) does not apply to him because § 1226(a) should. He contends that the reference to inadmissibility in § 1226 suggests that this section should apply rather than § 1225(b)(2)(A). ECF No. 10 at 10-14. He also refers to § 1226(c), which expressly requires mandatory detention for certain categories of noncitizens, including at least one group of noncitizens who entered without inspection. *See id.* at 8. He argues that the specific requirement of mandatory detention for a

category of noncitizens who entered without inspection must mean that § 1226(a) applies to *all* noncitizens who entered without inspection. *Id.*

Petitioner's arguments contradict normal rules of statutory interpretation. Section 1226(a)'s general detention authority, which permits the issuance of warrants to detain noncitizens for their removal proceedings, must be read alongside § 1225, which *specifically* addresses the detention of applicants for admission. And § 1226 does not displace the more specific provisions in § 1225 governing the detention of applicants for admission. Where "there is no clear intention otherwise, a specific statute will not be controlled or nullified by a general one." *Guidry v. Sheet Metal Workers Nat. Pension Fund*, 493 U.S. 365, 375 (1990) (citation omitted). Here, § 1225 is narrower in scope than § 1226. It applies only to "applicants for admission," which includes noncitizens present in the United States who have not been admitted. *See* 8 U.S.C. § 1225(a)(1). The Court should not read § 1226(c) to require courts to ignore the express scope of § 1225.

Past practice does not show that Petitioner is subject to § 1226, rather than § 1225(b)(2)(A). Petitioner also argues that granting him bond would accord with past practice. But his argument is flawed.

Petitioner points to an entry in the Federal Register which states that "[d]espite being applicants for admission, [noncitizens] who are present without having been admitted … will be eligible for bond and bond redetermination." ECF No. 10 at 14. (citing 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)).

This citation from the Federal Register does not support Petitioner's argument for two

reasons. First, the entry appears to acknowledge that noncitizens who are present without having been admitted are "applicants for admission." Thus, the cited language implicitly acknowledges that applicants for admission are not eligible for bond hearings under the statute. Instead, it apparently regarded them as eligible for bond hearings as a matter of administrative discretion, not of statutory interpretation.

Second, the Federal Register cannot change the plain language of the statute. The weight given to agency interpretations must "depend upon their thoroughness evident in its consideration, the validity of its reasoning, its consistency with earlier and later pronouncements, and all those factors which give it power to persuade . . . ." *Loper Bright Enters. v. Raimondo*, 603 U.S. 369, 388 (2024) (quoting *Skidmore v. Swift & Co.*, 323 U.S. 134, 140 (1944)). Here, the agency provided no analysis to explain its statement about granting bond hearings to applicants for admission. *See* 62 Fed. Reg. at 10323. Its prior practice therefore carries little weight in interpreting the text of § 1225.

V. Petitioner has not shown that he has a due process right to a bond hearing.

Petitioner also claims that he is entitled to a bond hearing as a matter of due process. *See* ECF No. 10 at 15; ECF No. 1 at 17. This argument should be rejected.

First, for Petitioner to show that he has been denied due process, he would need to show that he has been deprived of a statutory right. The Supreme Court has "often reiterated" the "important rule" that for "foreigners who have never been . . . admitted into the country pursuant to law," "the decisions of executive or administrative officers, acting within powers expressly conferred by Congress, are due process of law." *DHS v. Thuraissigiam*, 591 U.S. 103, 138 (2020). There, the Court explained that a noncitizen who was an "applicant for admission" had

"only those rights regarding admission that Congress has provided by statute," and "the Due Process Clause provides nothing more . . . ." *Id.* at 140.

Second, Petitioner has not shown any prejudice. He has not shown that he has been denied due process by being denied procedures in his immigration proceedings, where he can challenge the determination that § 1252(b)(2)(A) applies to him. As he will have that opportunity through his immigration proceedings, he has not shown a violation of his rights to procedural due process. See *Duran-Hernandez v. Ashcroft*, 348 F.3d 1158, 1163 (10th Cir. 2003) (where a noncitizen failed to show "that additional procedural safeguards would have changed" the immigration court's decision, this "failure to prove prejudice leads us to reject [his] due process claim"). As this Court has elsewhere explained in analyzing a due process challenge to immigration detention, "so long as the government reasonably affords noncitizen detainees in ongoing immigration proceedings administrative process to challenge the *merits* determinations that are keeping them in custody, continued custody is permissible." Order at 13, *Bonilla Espinoza v. Ceja*, No. 25-cv-01120-GPG (D. Colo. May 21, 2025), ECF No. 11.

Third, Petitioner's detention has been sufficiently short that it is presumptively constitutional. He has been detained for one month. *See* ECF No. 1 at 2 ¶ 2; Ex. 1, Quinones Decl. ¶¶ 10-11. In a different immigration context—noncitizens already ordered removed and indefinitely awaiting their removal—the Supreme Court has explained that detention of less than six months is presumptively constitutional. *See Zadvydas v. Davis*, 533 U.S. 678, 701 (2001). In other contexts, even this presumptive constitutional limit has been distinguished as unnecessarily restrictive. In *Demore v. Kim*, 538 U.S. 510 (2003), the Supreme Court explained that noncitizens who were convicted of certain crimes may be detained during the entire course of

their removal proceedings. 538 U.S. at 513. In that case, like this one, Congress mandated detention pending removal proceedings. *See id.*; 8 U.S.C. § 1226(c). The Court reasoned that the "definite termination point" of the detention at the end of removal proceedings assuaged any constitutional concern. *See Demore*, 538 U.S. at 529.

The same is true here. Removal proceedings advance toward a definite endpoint. Petitioner's detention will conclude with a final order of removal or a denial of the charges against him. Congress's decision to detain him pending removal is a "constitutionally permissible part of [this] process." *See Demore*, 538 U.S. at 531.

Petitioner has failed to demonstrate that the Fifth Amendment requires any additional process be provided to him.

CONCLUSION

For the reasons discussed above, the Court should dismiss or deny the Petition and deny the Motion.

Dated: December 17, 2025.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I certify that on December 17, 2025, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the all counsel of record, including:

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