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9  
10 **UNITED STATES DISTRICT COURT**  
11 **FOR THE DISTRICT OF ARIZONA**

12 Felipe Diaz Quiroz, )  
13 )  
14 )

15 Petitioner )

16 v. )

17 Kristi Noem, Secretary of the )  
18 U.S. Department of Homeland Security, )

19 Pamela Bondi, )  
20 Attorney General of the United States; )

21 Todd M. Lyons, Acting Director of )  
22 Immigration and Customs Enforcement; )

23 Christopher Howard, Assistant Warden )  
24 Of the Eloy Detention Center; )

25 Christopher McGregor, Field Office )  
26 Director for Enforcement and Removal )  
27 Operations, )  
28 U.S. Department of Homeland Security; )


In their official capacities, )

Respondents )

Case No. \_\_\_\_\_

PETITION FOR WRIT OF  
HABEAS CORPUS  
UNDER 28 U.S.C. § 2241

## I. INTRODUCTION

1  
2           1.     Petitioner, Felipe Diaz Quiroz, , is being detained  
3 unlawfully at the Eloy Detention Center in the custody of U.S. Immigration Customs  
4 and Enforcement (“ICE”). Petitioner is a noncitizen and longtime resident of the  
5 United States who is harmed by Respondents’ new, draconian policy reinterpreting the  
6 immigration detention statutes to preclude Petitioner from eligibility for bond under  
7 the Immigration and Nationality Act (INA), 8 U.S.C. § 1226(a), and for bond hearings  
8 under 8 C.F.R. §§ 1003.19(a), 1235.1(d). Instead, pursuant to this new policy,  
9 Respondents now consider Petitioner as subject to mandatory detention under 8 U.S.C.  
10 § 1225(b)(2)(A), without the opportunity for release on bond during the pendency of  
11 his lengthy removal proceedings.

12           2.     Petitioner brings this habeas corpus action pursuant to 28 U.S.C.  
13 § 2241 to challenge his continued unlawful detention by Immigration and Customs  
14 Enforcement (ICE) in violation of the Immigration and Nationality Act (INA) and the  
15 Fifth Amendment to the U.S. Constitution.

16           3.     Absent an Order from this Court, Petitioner will continue to be  
17 unlawfully held in detention by ICE.

18           4.     Petitioner asks this Court to find that Petitioner is being unlawfully  
19 detained by ICE and order that Petitioner be immediately released from unlawful  
20 detention.

## II. REQUIREMENTS OF 28 U.S.C. § 2243

21           5.     The Court must grant the petition for writ of habeas corpus or issue  
22 an order to show cause (OSC) to the respondents “forthwith,” unless the petitioner is  
23 not entitled to relief. 28 U.S.C. § 2243. If an order to show cause is issued, the Court  
24 must require respondents to file a return “within *three days* unless for good cause  
25 additional time, not exceeding twenty days, is allowed.” *Id.* (emphasis added).

26           6.     Courts have long recognized the significance of the habeas statute  
27 in protecting individuals from unlawful detention. The Great Writ has been referred to  
28

1 as “perhaps the most important write known to the constitutional law of England,  
2 affording as it does a *swift* and imperative remedy in all cases of illegal restraint or  
3 confinement.” *Fay v. Noia*, 372 U.S. 391, 400 (1963) (emphasis added).

### 4 **III. JURISDICTION**

5 7. Petitioner is in the physical custody of Respondents and is detained  
6 at the Eloy Detention Center in Eloy, Arizona.

7 8. Petitioner’s case arises under 28 U.S.C. §2241, and his claims  
8 further arise under the INA, 8 U.S.C. § 1101-1538, and its implementing regulations;  
9 the APA, 5 U.S.C. §§ 500-596, 701-706; and the U.S. Constitution.

10 9. This Court has jurisdiction pursuant to 28 U.S.C. § 1331, as this is a  
11 civil action arising the laws of the United States, and under 28 U.S.C. §2241 as the  
12 case challenges Petitioner’s unlawful detention.

13 10. The Court may grant relief pursuant to 28 U.S.C. § 2241; the  
14 Declaratory Judgment Act, 28 U.S.C. § 2201; the APA, 5 U.S.C §§ 702, 706; the All  
15 Writs Act, 28 U.S.C § 1651; Federal Rules of Civil Procedure 65; and the Court’s  
16 inherent equitable powers.

### 17 **IV. VENUE**

18 11. Venue properly lies in the District of Arizona under 28 U.S.C §  
19 1391(e), because Petitioner is detained in this District.

20 12. In addition, venue is proper in this District because Respondents are  
21 officers, employees, or agencies of the United States and because a substantial part of  
22 the events or omissions giving rise to the claims occurred in the District of Arizona.

### 23 **V. PARTIES**

24 13. Petitioner, Felipe Diaz Quiroz, is a native and citizen of Mexico  
25 who has resided in the United States for at least twenty years and is currently detained  
26 by ICE at the Eloy Detention Center.

27 14. Respondent, Christopher Howard, is the legal custodian of  
28 Petitioner. Christopher Howard is an employee of CoreCivic which is the company

1 that owns and operates the Eloy Detention Center. Christopher Howard is the  
2 Assistant Warden of the Eloy Detention Center where Petitioner is being held in  
3 custody, and is sued in his official capacity. Petitioner has been informed and believes  
4 that the office of Warden of the Eloy Detention Center is currently vacant.

5 15. Respondent Christopher McGregor is the Acting Field Office  
6 Director of Enforcement and Removal Operations for Immigration and Customs  
7 Enforcement within the State of Arizona, an agency of the Department of Homeland  
8 Security, and is sued in his official capacity.

9 16. Respondent Pamela Bondi is the Attorney General of the United  
10 States. She is responsible for the Department of Justice, of which the Executive Office  
11 for Immigration Review and the immigration court system it operates is a component  
12 agency. She is sued in her official capacity.

13 17. Respondent Kristi Noem is the Secretary of Homeland Security of  
14 the United States. She is responsible for the implementation and enforcement of the  
15 INA, and oversees ICE, which is responsible for Petitioner's detention. Respondent  
16 Noem has ultimate custodial authority over Petitioner and is sued in her official  
17 capacity.

18 18. Respondent Todd M. Lyons is the Acting Director of U.S.  
19 Immigration and Customs Enforcement and is sued in his official capacity.

## 20 VI. LEGAL FRAMEWORK

21 19. Petitioner's detention violates the plain language of the INA and its  
22 implementing regulations. Respondents' new legal interpretation set forth in *Matter of*  
23 *Yajure Hurtado* is plainly contrary to the statutory framework and its implementing  
24 regulations.

25 20. The INA prescribes three basic forms of detention for the vast  
26 majority of noncitizens in removal proceedings. The detention provisions at 8 U.S.C.  
27 § 1226(a) and § 1225(b)(2) were enacted as part of the Illegal Immigration Reform and  
28 Immigrant Responsibility Act (IIRIRA) of 1996, Pub. L. No. 104-208, Div. C, §§ 302–

1 03, 110 Stat. 3009-546, 3009-582 to 3009-583, 3009-585. Section 1226 was most  
2 recently amended earlier this year by the Laken Riley Act, Pub. L. No.119-1, 139 Stat.  
3 3 (2025).

4 21. First, 8 U.S.C. § 1226 authorizes the detention of noncitizens in  
5 standard removal proceedings before an IJ. *See* 8 U.S.C. § 1229a. Individuals in  
6 Section 1226(a) detention are generally entitled to a bond hearing at the outset of their  
7 detention, *see* 8 C.F.R. §§ 1003.19(a), 1236.1(d), while noncitizens who have been  
8 arrested, charged with, or convicted of certain crimes are subject to mandatory  
9 detention until their removal proceedings are concluded, *see* 8 U.S.C. § 1226(c).  
10 According to the Supreme Court, “§ 1226(c) applies to aliens already present in the  
11 United States. Section 1226(a) creates a default rule for those aliens...” *Jennings v.*  
12 *Rodriguez*, 138 S.Ct. 830 (2018). The Court states, “Section 1226(a) also permits the  
13 Attorney General to release those aliens on bond, ‘[e]xcept as provided in subsection  
14 (c) of this section.’”

15 22. Second, Section 1225 governs DHS’s inspection of noncitizens  
16 who arrive the borders and ports of entry of the United States. Section 1225 provides  
17 for mandatory detention of noncitizens subject to expedited removal under 8 U.S.C. §  
18 1225(b)(1) and for other recent arrivals “seeking admission” referred to under §  
19 1225(b)(2). 8 U.S.C. § 1225(b)(2)(A) applies to individuals who are apprehended on  
20 arrival in the United States. It states that an “applicant for admission” who is “seeking  
21 admission” shall be detained for a removal proceeding under section 1229a. *Id.* It  
22 does not apply to individuals like Petitioner who are arrested and detained by ICE after  
23 having entered and begun residing in the United States many years earlier, who are not  
24 “seeking admission.”

25 23. Last, the INA also provides for detention of noncitizens who have  
26 received a final order of removal from the United States, including individuals in  
27 withholding-only proceedings, *see* 8 U.S.C. § 1231(a)–(b). This section does not  
28 apply to Petitioner in this case because he does not have a final order of removal.

1           24. Petitioner’s case concerns the detention provisions at § 1226(a) and  
2 § 1225(b)(2).

3           25. For decades, Respondents have applied § 1226(a) to people like  
4 Petitioner who entered the United States without inspection and have lived in the  
5 United States for many years.

6           26. In the decades that followed the passage of IRRIRA in 1996,  
7 people who had entered without inspection and were thereafter arrested within the  
8 United States and placed in removal proceedings were considered for release on bond  
9 and also received bond hearings before an IJ under Section 1226, unless their criminal  
10 history rendered them ineligible. This practice by EOIR, INS, and then DHS, was a  
11 reflection of and implementation of the law as it is written.

12           27. However, on July 8, 2025, Defendants adopted an entirely new  
13 interpretation of the statute, one not supported by the law. On that day, ICE, “in  
14 coordination with the Department of Justice (DOJ),” announced a corresponding  
15 policy that rejected the well-established understanding of the statutory and regulatory  
16 framework and reversed decades of practice. The new policy, entitled “Interim  
17 Guidance Regarding Detention Authority for Applicants for Admission,” (known as  
18 “the Lyons Memo”) authored by Defendant Todd Lyons, claims that all persons who  
19 entered the United States without inspection shall now be deemed subject to  
20 mandatory detention under § 1225(b)(2)(A). *Id.* The policy applies regardless of when  
21 a person is apprehended, and affects those who have resided in the United States for  
22 months, years, and even decades. The Lyons memo is an unlawful agency  
23 interpretation that conflicts with statute, precedent, and due process.

24           28. DHS’s and DOJ’s interpretation set forth in the Lyons memo and  
25 *Matter of Yajure Hurtado* defies the INA. Section 1226(a) applies by default to all  
26 persons “pending a decision on whether the [noncitizen] is to be removed from the  
27 United States.” These removal hearings are held under § 1229a, to “decid[e] the  
28 inadmissibility or deportability of a[] [noncitizen].”

1           29. The text of § 1226 also explicitly applies to people charged as  
2 being inadmissible, including those who entered without inspection. *See* 8 U.S.C. §  
3 1226(c)(1)(E). Just this year in early 2025, Congress added subparagraph (E) to  
4 Section 1226(c)(1) by enacting the Laken Riley Act to exclude certain noncitizens who  
5 entered without inspection from § 1226(a)'s default bond eligibility. Under the Laken  
6 Riley Act, a noncitizen who entered the U.S. without inspection *and* has been accused  
7 of theft-related crimes is not eligible for bond. By adding a provision relating to a  
8 person who entered without inspection and has been accused of a theft-related crime  
9 the Laken Riley Act actually assumes that a person who entered without inspection  
10 *and has not been accused or convicted* of a theft-related crime *is* eligible for bond, as a  
11 general rule. Section 1226(c)(1)(E)'s reference to persons inadmissible under §  
12 1182(6)(A), i.e., persons inadmissible for entering without inspection, makes clear  
13 that, *by default*, such people are eligible for release on bond under Section 1226(a), if  
14 that person has not been accused or convicted of a theft-related crime. As the  
15 *Rodriguez Vazquez* court explained, “[w]hen Congress creates “specific exceptions” to  
16 a statute’s applicability, it “proves” that absent those exceptions, the statute generally  
17 applies. *Rodriguez Vazquez*, 2025 WL 1193850, at \*12 (citing *Shady Grove*  
18 *Orthopedic Assocs., P.A. v. Allstate Ins. Co.*, 559 U.S. 393, 400 (2010)). Otherwise,  
19 Section 1226(c)(1)(E) would be surplusage. Section 1226 therefore leaves no doubt  
20 that it applies to people who are present without admission or parole.

21           30. By contrast, § 1225(b) applies to people arriving at U.S. ports of  
22 entry or who very recently entered the United States. The statute’s entire framework is  
23 premised on inspections at the border of people who are “*seeking admission*” to the  
24 United States. 8 U.S.C. § 1225(b)(2)(A); *see also Diaz Martinez*, 2025 WL 2084238,  
25 at \*8 (“[O]ur immigration laws have long made a distinction between those  
26 [noncitizens] who have come to our shores seeking admission . . . and those who are  
27 within the United States after an entry, irrespective of its legality.” (quoting *Leng May*  
28 *Ma v. Barber*, 357 U.S. 185, 187 (1958))). Indeed, the Supreme Court has explained

1 that this mandatory detention scheme applies “at the Nation’s borders and ports of  
2 entry, where the Government must determine whether a[] [noncitizen] seeking to enter  
3 the country is admissible.” *Jennings v. Rodriguez*, 583 U.S. 281, 287 (2018).

4 Accordingly, the mandatory detention provision of § 1225(b)(2) does not apply to  
5 people like Petitioner, who has already entered and was residing in the United States at  
6 the time he was apprehended.

7 38. Since Respondents adopted their new policies, dozens of federal  
8 courts have rejected their new interpretation of the INA’s detention authorities. Courts  
9 have likewise rejected *Matter of Yajure Hurtado*, which adopts the same reading of the  
10 statute as ICE. Even before ICE or the BIA introduced these nationwide policies, IJs  
11 in the Tacoma, Washington, immigration court stopped providing bond hearings for  
12 persons who entered the United States without inspection and who have since resided  
13 here. There, the U.S. District Court in the Western District of Washington found that  
14 such a reading of the INA is likely unlawful and that § 1226(a), not § 1225(b), applies  
15 to noncitizens who are not apprehended upon arrival to the United States. *Rodriguez*  
16 *Vazquez v. Bostock*, 779 F. Supp. 3d 1239 (W.D. Wash. 2025).

17 39. Subsequently, court after court has adopted the same reading of the  
18 INA’s detention authorities and rejected ICE and EOIR’s new interpretation. *See, e.g.*,  
19 *Gomes v. Hyde*, No. 1:25-CV-11571-JEK, 2025 WL 1869299 (D. Mass. July 7, 2025);  
20 *Diaz Martinez v. Hyde*, No. CV 25-11613-BEM, --- F. Supp. 3d ----, 2025 WL  
21 2084238 (D. Mass. July 24, 2025); *Rosado v. Figueroa*, No. CV 25-02157 PHX DLR  
22 (CDB), 2025 WL 2337099 (D. Ariz. Aug. 11, 2025), *report and recommendation*  
23 *adopted*, No. CV-25-02157-PHX-DLR (CDB), 2025 WL 2349133 (D. Ariz. Aug. 13,  
24 2025); *Lopez Benitez v. Francis*, No. 25 CIV. 5937 (DEH), 2025 WL 2371588  
25 (S.D.N.Y. Aug. 13, 2025); *Maldonado v. Olson*, No. 0:25-cv-03142-SRN-SGE, 2025  
26 WL 2374411 (D. Minn. Aug. 15, 2025); *Arrazola-Gonzalez v. Noem*, No. 5:25-cv-  
27 01789-ODW (DFMx), 2025 WL 2379285 (C.D. Cal. Aug. 15, 2025); *Romero v. Hyde*,  
28 No. 25-11631-BEM, 2025 WL 2403827 (D. Mass. Aug. 19, 2025); *Samb v. Joyce*, No.

1 25 CIV. 6373 (DEH), 2025 WL 2398831 (S.D.N.Y. Aug. 19, 2025); *Ramirez Clavijo*  
2 *v. Kaiser*, No. 25-CV-06248-BLF, 2025 WL 2419263 (N.D. Cal. Aug. 21, 2025); *Leal-*  
3 *Hernandez v. Noem*, No. 1:25-cv-02428-JRR, 2025 WL 2430025 (D. Md. Aug. 24,  
4 2025); *Kostak v. Trump*, No. 3:25-cv-01093-JE-KDM, 2025 WL 2472136 (W.D. La.  
5 Aug. 27, 2025); *Jose J.O.E. v. Bondi*, No. 25-CV-3051 (ECT/DJF), --- F. Supp. 3d ----,  
6 2025 WL 2466670 (D. Minn. Aug. 27, 2025) *Lopez-Campos v. Raycraft*, No. 2:25-cv-  
7 12486-BRM-EAS, 2025 WL 2496379 (E.D. Mich. Aug. 29, 2025); *Vasquez Garcia v.*  
8 *Noem*, No. 25-cv-02180-DMS-MM, 2025 WL 2549431 (S.D. Cal. Sept. 3, 2025);  
9 *Zaragoza Mosqueda v. Noem*, No. 5:25-CV-02304 CAS (BFM), 2025 WL 2591530  
10 (C.D. Cal. Sept. 8, 2025); *Pizarro Reyes v. Raycraft*, No. 25-CV-12546, 2025 WL  
11 2609425 (E.D. Mich. Sept. 9, 2025); *Sampiao v. Hyde*, No. 1:25-CV-11981-JEK, 2025  
12 WL 2607924 (D. Mass. Sept. 9, 2025); *see also, e.g., Palma Perez v. Berg*, No.  
13 8:25CV494, 2025 WL 2531566, at \*2 (D. Neb. Sept. 3, 2025) (noting that “[t]he Court  
14 tends to agree” that § 1226(a) and not § 1225(b)(2) authorizes detention); *Jacinto v.*  
15 *Trump*, No. 4:25-cv-03161-JFB-RCC, 2025 WL 2402271 at \*3 (D. Neb. Aug. 19,  
16 2025) (same); *Anicasio v. Kramer*, No. 4:25-cv-03158-JFB-RCC, 2025 WL 2374224  
17 at \*2 (D. Neb. Aug. 14, 2025) (same). Accordingly, the mandatory detention provision  
18 of §1225(b)(2)(A) does not apply to people like Petitioner, who have already entered  
19 and were residing in the United States at the time they were apprehended.

20 42. Most recently, in the case of *Maldonado Bautista v. Santacruz*, No.  
21 5-25-cv-01873-SSS-BFM, U.S. District Court Judge Sykes granted Partial Summary  
22 Judgment for Declaratory Relief, finding that this new policy of DHS violates the INA  
23 and Due Process. On November 25, 2025, Judge Sykes issued an Order Granting  
24 Plaintiff Petitioners’ Motion for Class Certification, whereby the Court certified a  
25 nationwide “Bond Eligible Class” which includes “All noncitizens in the United States  
26 without lawful status who (1) have entered or will enter the United States without  
27 inspection; (2) were not or will not be apprehended upon arrival; and (3) are not or will  
28 not be subject to detention under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231 at the

1 time the Department of Homeland Security makes an initial custody determination.”  
2 In the instant case, Petitioner is a member of the “Bond Eligible Class.” However,  
3 immigration judges continue to find “No jurisdiction,” despite Judge Sykes’ Order for  
4 Partial Summary Judgment on Declaratory Relief finding that DHS is violating the  
5 INA and Due Process, and despite Class certification.

## 6 VII. FACTS

7 31. Petitioner is currently detained at the Eloy Detention Center in  
8 Eloy, Arizona. Petitioner entered the United States without inspection in 2001, and  
9 has lived in the United States continuously since that time. Petitioner has never been  
10 convicted of any crime. Petitioner was not apprehended upon arrival into the United  
11 States and is not subject to detention under 8 U.S.C. § 1226(c), § 1225(b)(1), or § 1231

12 32. On or about November 22, 2025, DHS officers stopped Petitioner’s  
13 vehicle and arrested him in Phoenix, Arizona. DHS issued a Form I-862 Notice To  
14 Appear, alleging that Petitioner is “an alien present in the United States who has not  
15 been admitted or paroled.” He is charged with being subject to removal from the  
16 United States pursuant to INA 212(a)(6)(A)(i), as “an alien present in the United States  
17 without being admitted or paroled, or who arrived at any time or place other than as  
18 designated by the Attorney General.” *See* 8 U.S.C. § 1182(a)(6)(A)(i).

19 33. On December 5, 2025, Petitioner had a bond redetermination  
20 hearing with an immigration judge at the Florence Immigration Court and the IJ denied  
21 bond. This bond hearing was conducted under the provisions of 8 U.S.C. § 1226(a).  
22 According to the written Order of the Immigration Judge dated December 5, 2025, the  
23 reason for bond denial was because “On September 5, 2025, the Board issued a  
24 precedential decision in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025),  
25 which found as a matter of law that all aliens present in the United States without  
26 admission may only be subject to detention under INA 235(b), and never under INA  
27 236. Therefore, the Immigration Courts have no jurisdiction over bond proceedings  
28 for aliens present in the United States without admission.”

1 Petitioner is a member of the “Bond Eligible Class” in the case of *Maldonado*  
2 *Bautista v. Santacruz*, No. 5-25-cv-01873-SSS-BFM, but Petitioner has not been  
3 afforded an individualized bond redetermination hearing pursuant to that class  
4 membership.

5 **VIII. CLAIMS FOR RELIEF**

6 **COUNT I**

7 **Violation of 8 U.S.C. § 1226(a)**

8 **Unlawful Denial of Release on Bond**

9 34. Petitioner incorporates by reference the allegations of fact set forth  
10 in the preceding paragraphs.

11 35. The mandatory detention provision of 8 U.S.C. §1225(b)(2) does  
12 not apply to all noncitizens residing in the United States who previously entered the  
13 country and have been residing in the United States prior to being apprehended and  
14 placed in removal proceedings by Respondents. It does not apply to those who  
15 previously entered the country and have been residing in the United States prior to  
16 being apprehended and placed in removal proceedings by Respondents. Such  
17 noncitizens are detained under §1226(c), unless they are subject to §1225(b)(1),  
18 §1225(c), or §1231.

19 36. The application of §1225(b)(2) to Petitioner unlawfully mandates  
20 his continued detention and violates the INA.

21 **COUNT II**

22 **Violation of the Bond Regulations, 8 C.F.R. §§ 236.1, 1236.1 and 1003.19**

23 **Unlawful Denial of Release on Bond**

24 37. Petitioner incorporates by reference the allegations of fact set forth  
25 in the preceding paragraphs.

26 38. In 1997, after Congress amended the INA through IIRIRA, EOIR  
27 and the then-Immigration and Naturalization Service issued an interim rule to interpret  
28 and apply IIRIRA. Specifically, under the heading of “Apprehension, Custody, and

1 Detention of [Noncitizens],” the agencies explained that “[d]espite being applicants for  
2 admission, [noncitizens] who are present without having been admitted or paroled  
3 (formerly referred to as [noncitizens] who entered without inspection) *will be eligible*  
4 *for bond and bond redetermination.*” 62 Fed. Reg. at 10323 (emphasis added). The  
5 agencies thus made clear that individuals who had entered without inspection were  
6 eligible for consideration for bond and bond hearings before IJs under 8 U.S.C. § 1226  
7 and its implementing regulations.

8 39. Nonetheless, DHS and EOIR have adopted a policy and practice of  
9 § 1225(b)(2) to Petitioner and other *Maldonado Bautista* Bond Eligible Class  
10 members. The application of § 1225(b)(2) to Petitioner unlawfully mandates his  
11 continued detention and violates 8 C.F.R. §§ 236.1, 1236.1, and 1003.19.

### 12 **COUNT III**

#### 13 **Violation of the Administrative Procedure Act**

#### 14 **Contrary to Law and Arbitrary and Capricious Agency Policy**

15 40. Petitioner incorporates by reference the allegations of fact set forth  
16 in the preceding paragraphs.

17 41. The APA provides that a “reviewing court shall...hold unlawful  
18 and set aside agency action, findings, and conclusions found to be ... arbitrary and  
19 capricious, an abuse of discretion, or otherwise not in accordance with law.” 5 U.S.C.  
20 § 706(2)(A).

21 42. The mandatory detention provision at 8 U.S.C. § 1225(b)(2) does  
22 not apply to all noncitizens residing in the United States who are subject to the grounds  
23 of inadmissibility. As relevant here, it does not apply to those who previously entered  
24 the country and have been residing in the United States prior to being apprehended and  
25 placed in removal proceedings by Respondents. Such noncitizens are detained under §  
26 1226(a) and are eligible for release on bond, unless they are subject to § 1225(b)(1), §  
27 1226(c), or § 1231.

28



1 f. Award Petitioner attorney's fees and costs under the Equal Access to  
2 Justice Act ("EAJA"), as amended, 28 U.S.C. § 2412, and on any other  
3 basis justified under law; and

4 g. Grant any other and further relief that this Court deems just and proper.

5 DATED this 8th day of December, 2025.

6 Respectfully submitted,

7 /s/ Robert E. Coughlon, Jr.

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