

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

JOSE DOMINGO RAMIREZ LARIO
Petitioner,


v.

CRAIG A. LOWE, in his official capacity as
Warden:
of Pike County Correctional Facility in
Lords Valley, PA;
BRIAN MCSHANE, in his official capacity as
Acting Philadelphia Field Office Director,
United States Immigration and Customs
Enforcement; TODD LYONS, in his
Official capacity as Acting Director of
Immigration and Customs Enforcement;
KRISTI NOEM, in her official capacity as
Secretary of the Department of Homeland
Security; THE U.S. DEPARTMENT OF
HOMELAND SECURITY; PAMELA BONDI,
Attorney General of the United States

Respondents.

Case No.: _____

PETITION FOR WRIT OF HABEAS CORPUS

Jose Domingo Ramirez Lario, , submits this petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 and the Suspension Clause (Article 1, Section 9, Clause 2) of the United States Constitution. Petitioner requests that this Court release him from detention by the Immigration and Customs Enforcement

(“ICE”) or, alternatively, conduct or order a bond hearing in which the Respondents bear the burden of justifying Petitioner’s continued detention. Petitioner also requests that the Court set aside recent policies implemented by Respondents that are contrary to the statutory right of non-citizens like Petitioner to seek release and bail through an exercise of the Respondents’ discretion.

Mr. Ramirez Lario is a native of Guatemala. Mr. Ramirez Lario entered the United States on October 30th, 2008, without inspection or parole by an Immigration Officer. The subject has approved I-130 and I-601A applications and is awaiting his interview date at the US embassy in Guatemala, which is expected in the next few months. See Exhibit A, I-130 and I-601A Application Approval Notices.

On November 24th, 2025, Mr. Ramirez Lario was arrested by ICE ERO and the Northampton County MDJ Court 03-2-04 after he pleaded guilty to 2 counts of disorderly conduct and was sentenced to fines/cost. See Exhibit B, Form I-213 Record of Deportable/Inadmissible Alien.

Respondents arbitrarily detained Mr. Ramirez Lario despite the requirement under 8 U.S.C. § 1226(a) and its implementing regulations that immigration officials make an individualized custody determination. Moreover, Respondents have adopted policies enshrined in administrative decisions by the Board of Immigration

Appeals (“BIA”) that subject non-citizens like Mr. Ramirez Lario to mandatory detention in violation of Section 1226(a).

Mr. Ramirez Lario is presently detained at Pike County Correctional Facility.

JURISDICTION AND VENUE

1. This Court has subject matter jurisdiction pursuant to 28 U.S.C. § 2241 (habeas corpus); 28 U.S.C. § 1651 (All Writs Act); 28 U.S.C. § 1331 (federal question); 5 U.S.C. § 702 (Administrative Procedures Act); U.S. Const. amend. V (Due Process Clause); and U.S. Const. art. I, § 9, cl. 2 (Suspension Clause).

2. Venue is proper in the Middle District of Pennsylvania pursuant to 28 U.S.C. § 1391(b) and 28 U.S.C. § 2241(d), because at the time of filing his Petition for Writ of Habeas Corpus (Doc. 1), Mr. Ramirez Lario is imprisoned at the Pike County Correctional Facility in Lords Valley, PA.

PARTIES

3. Petitioner Jose Domingo Ramirez Lario is a native of Guatemala. He is detained at the Pike County Correctional Facility in Lords Valley, PA.

4. Respondent Craig A. Lowe is named in his official capacity as the Warden of Pike County Correctional Facility, which detains individuals

suspected of civil immigration violations. Respondent is the immediate physical custodian responsible for the detention of Petitioner.

5. Respondent Brian McShane is the Acting Philadelphia Field Office Director for Immigration and Customs Enforcement's ("ICE") Enforcement and Removal Operations. In this capacity he is responsible for the custody of all noncitizens detained by ICE at Pike County Correctional Facility in Lords Valley, PA and has the authority to release Mr. Ramirez Lario or transfer him to a different facility. He is one of Mr. Ramirez Lario's immediate custodians and is sued in his official capacity.

6. Respondent Todd Lyons is the Acting Director of ICE. In this capacity he is responsible for enforcing immigration laws, and as such is a legal custodian of Mr. Ramirez Lario. He is sued in his official capacity.

7. Respondent Kristi Noem is Secretary of Homeland Security. In this capacity she runs the Department of Homeland Security, and is charged pursuant to 8 U.S.C. 1103(a)(1) with administering and enforcing immigration laws. She is the ultimate legal custodian of Mr. Ramirez Lario and is sued in her official capacity.

8. The Department of Homeland Security (“DHS”) is the agency of the federal government responsible for enforcing the immigration laws. DHS is also Mr. Ramirez Lario’s legal custodian.

9. Respondent Pamela Bondi is the Attorney General of the United States and the head of the U.S. Department of Justice, which encompasses the Board of Immigration Appeals (“BIA”) and immigration courts, known collectively as the Executive Office of Immigration Review (“EOIR”). Ms. Bondi shares responsibility for the implementation and enforcement of immigration laws along with Respondent Noem. Ms. Bondi is a legal custodian of Mr. Ramirez Lario. She is sued in her official capacity.

LEGAL FRAMEWORK

10. For non-citizens attempting to enter the United States, the INA provides under 8 U.S.C. § 1225(b)(2)(A) that “in the case of [a non-citizen] who is an applicant from 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.” “A noncitizen detained under Section 1225(b)(2) may be released only if he is paroled ‘for urgent humanitarian reasons or significant public benefit’ pursuant to 8 U.S.C. § 1182(d)(5)(A).” *Gomes v. Hyde*,

25 Civ. 11571, 2025 WL 1868288, at *2 (D. Mass. July 7, 2025) (quoting *Jennings v. Rodriguez*, 583 U.S. 281, 300 (2018)).

11. In contrast, the Supreme Court has found that “U.S. immigration law authorizes the Government to detain certain [non-citizens] *already in the country* pending the outcome of removal proceedings under §§ 1226(a) and (c).” *Jennings*, 583 U.S. at 288-89.

12. Section 236 of the INA provides in relevant part as follows:

(a) Arrest, Detention, and Release. On a warrant issued by the Attorney General, *an alien may be arrested and detained pending a decision on whether the alien is to be removed from the United States*. Except as provided in subsection (c) and pending such decision, *the Attorney General—*

(1) *may continue to detain the arrested alien; and*

(2) *may release the alien on—*

(A) *bond of at least \$1,500 with security approved by, and containing conditions prescribed by, the Attorney General; or*

(B) *conditional parole ...*

13. The Supreme Court has interpreted similar “may” language in other provisions of the INA to require “some level of individualized determination.” *I.N.S. v. Nat’l Ctr. For Immigrants’ Rights*, 502 U.S. 183, 194 (1991). The regulation implementing Respondents’ authority to arrest non-citizens present in the United States reads:

“Any officer authorized to issue a warrant of arrest may, in the officer's discretion, release an alien not described in [8 U.S.C. §

1236(c)(1)] of the Act, under the conditions at section [8 U.S.C. § 1236(a)(2) and (3)]; *provided that the alien must demonstrate to the satisfaction of the officer that such release would not pose a danger to property or persons, and that the alien is likely to appear for any future proceeding.*”

8 U.S.C. § 1236.1(c)(8).

14. Noncitizens may request a review of an initial custody determination before an Immigration Judge (“IJ”). 8 C.F.R. § 1236.1(d)(1); 8 C.F.R. § 1002.19(a). At this hearing an IJ may make the decision “upon any information that is available to the [Immigration Judge] or that is presented to him or her by the [non-citizen] or the [government].” 8 C.F.R. § 1003.19(d); *see also Matter of Guerra*, 24 I&N Dec. 37, 39 (BIA 2006). Non-citizens may appeal a negative decision in a custody review before an IJ to the Board of Immigration Appeals. 8 C.F.R. § 1236.1(d)(3)(i). The current statutory scheme was created through the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (“IIRIRA”).

15. For the first time in nearly three decades, Respondents have taken the position through a series of precedential decisions by the Board of Immigration Appeals that non-citizens residing in the interior of the United States are not entitled to a custody redetermination (a “bond hearing”) before an Immigration Judge.

16. First, in *Matter of Q. Li*, 29 I&N Dec. 66 (BIA 2025), the BIA held that a non-citizen who had been apprehended at the border and subsequently released into the United States is subject to mandatory detention without a possibility of bail upon re-detention, pursuant to 8 U.S.C. § 1225(b), even if that re-detention occurs years after their initial release from custody. The BIA reasoned that “an applicant for admission who is arrested and detained without a warrant while in the process of arriving in the United States, whether or not at a port of entry, and subsequently placed in removal proceedings is detained under section [1225(b)] [], and is ineligible for any subsequent release on bond under section [1226(a)].” *Q. Li*, 29 I&N Dec. at 74.

17. Then in *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025), the BIA stated that all non-citizens who are present in the United States without admission are subject to mandatory detention under Section 1225(b), regardless of how long they have been residing in the U.S. and absent any prior interaction with immigration authorities.

FACTS AND PROCEDURAL HISTORY

18. Mr. Ramirez Lario is a native of Guatemala.

19. On October 30th, 2008, Mr. Ramirez Lario entered the United States via California. He is currently married to a US Citizen and has two US Citizen

children. He is the beneficiary of an approved I-130 Petition for Alien Relative and I-601A Application for Provisional Unlawful Presence Waiver and is awaiting his interview date at the US Embassy in Guatemala.

20. Mr. Ramirez Lario was issued a Notice to Appear, charging him as removable from the United States pursuant to 8 U.S.C. § 1182(a)(6)(A)(i) (“A [non-citizen] present in the United States without being admitted or paroled, or who arrives in the United States at any time or place other than as designated by the Attorney General, is inadmissible”). Exh. B. The Notice to Appear ordered that he appear at Pike County Prison, Elizabeth, NJ 07201 on December 8th, 2025 at 1:30 PM. See Exhibit C Notice to Appear.

CLAIM FOR RELIEF

COUNT ONE

VIOLATION OF DUE PROCESS, U.S. CONST. AMEND. V

1. Petitioner repeats and incorporates by reference each and every allegation contained in the preceding paragraphs as if fully set forth herein.
2. The Fifth Amendment’s Due Process Clause prevents the Government from depriving any person of “life, liberty, or property, without due process of law.” U.S. Const. amend. V.
3. The Due Process Clause extends to noncitizens residing in the

United States, whether they have lawful status or not. *See Mathews v. Diaz*, 426 U.S. 67, 77 (1976); *Zadvydas v. Davis*, 533 U.S. 678, 693 (2001). Specifically, “[i]t is well established that the Fifth Amendment entitles [non-citizens] to due process of law in deportation proceedings. *Reno v. Flores*, 507 U.S. 292, 306 (1993); *see also Abdulai v. Ashcroft*, 239 F.3d 542, 549 (3d Cir. 2001) (“[Non-citizens] facing removal are entitled to due process”); *Calderon-Rosas v. Atty’ Gen.*, 957 F.3d 378, 386 (3d Cir. 2020) (“In sum, petitioners seeking discretionary relief are entitled to fundamentally fair removal proceedings, which constitutes a protected interest supporting a due process claim.

4. Evaluating the adequacy of the process provided to a non-citizen requires a balancing of factors. “First, the private interest that will be affected by the official action; second, the risk of an erroneous deprivation of such interest through the procedures used, and the probable value, if any, of additional or substitute procedural safeguards; and finally, the Government's interest, including the function involved and the fiscal and administrative burdens that the additional or substitute procedural requirement would entail.” *Mathews v. Eldridge*, 424 U.S. 319, 335 (1976).

5. First, Mr. Ramirez Lario faces “the most significant liberty interest there is—the interest in being free from imprisonment.” *Velasco Lopez v.*

Decker, 978 F.3d 842, 851 (2d Cir. 2020) (citing *Hamdi v. Rumsfeld*, 542 U.S. 507, 529 (2004)). Second, Respondents have erroneously deprived Mr. Ramirez Lario of his liberty without any individualized assessment of his circumstances. Third, Respondents did not make any individualized finding that Mr. Ramirez Lario was a danger or flight risk, so there does not appear to be a significant government interest in detaining Mr. Ramirez Lario.

6. An application of these factors requires that Mr. Ramirez Lario should have been provided with additional process before being detained.

COUNT TWO

VIOLATION OF THE IMMIGRATION AND NATIONALITY ACT, 8 U.S.C. § 1226(a)

7. Petitioner repeats and incorporates by reference each and every allegation contained in the preceding paragraphs as if fully set forth herein.

8. 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 grounds of inadmissibility. As, relevant here, it does not apply to those who have been residing in the United States at liberty after being briefly detained at or near the border. Such noncitizens, if detained, are done so under § 1226(a), and are generally eligible release on bond.

9. Respondents' authority to detain Mr. Ramirez Lario is derived from 8 U.S.C. § 1226(a) as Mr. Ramirez Lario is already present in the United States.

10. Respondents have detained Mr. Ramirez Lario without making an individualized determination regarding whether he posed a danger or flight risk as required by 8 U.S.C. § 1226(a) and its regulations.

11. Moreover, Respondents' current policies as set forth in the BIA's decisions in *Matter of Q. Li* and *Matter of Yajure Hurtado* unlawfully prevent Mr. Ramirez Lario from obtaining a custody redetermination in front of an Immigration Judge as is his right by statute.

COUNTY THREE

VIOLATION OF THE BOND REGULATIONS, 8 C.F.R. § 236.1, 1236.1 and 1003.19

12. Petitioner repeats and incorporates by reference each and every allegation contained in the preceding paragraphs as if fully set forth herein.

13. In 1997, after Congress amended the INA through IIRIRA, EOIR the then-Immigration and Naturalization Service issued an interim rule to interpret and apply IIRIRA. Specifically, under the heading of "Apprehension, Custody, and Detention of [Non-citizens]," the agencies explained that "[d]espite being applicants for admission, [noncitizens] who are present without having been admitted or

paroled (formerly referred to as [noncitizens] who entered without inspection) *will be eligible for bond and bond redetermination.*” 62 Fed. Reg. at 10323 (emphasis added). Thus, the agencies made clear that non-citizens present in the United States would be eligible for consideration for bond and bond hearings before IJs under 8 U.S.C. § 1226 and its implementing regulations.

14. Yet, Respondents have adopted a policy and practice of applying § 1225(b)(2) to non-citizens like Mr. Ramirez Lario who are present in the United States without being admitted or paroled.

15. The application of § 1225(b)(2) to Mr. Ramirez Lario unlawfully mandates his continued detention in violation of 8 C.F.R. §§ 236.1, 1236.1, and 1003.19.

COUNTY FOUR

VIOLATION OF THE ADMINISTRATIVE PROCEDURE ACT (“APA”), 5 U.S.C. § 701, et. seq.

16. Petitioner repeats and incorporates by reference each and every allegation contained in the preceding paragraphs as is fully set forth herein.

17. Mr. Ramirez Lario is aggrieved by agency action under the Administrative Procedure Act, 5 U.S.C. §§ 701 *et. seq.* Specifically, Respondents have acted arbitrarily in detaining Mr. Ramirez Lario without conducting an

individualized determination into his circumstances. In other words, Respondents have not presented any indication that Mr. Ramirez Lario's circumstances have changed such that he is now a danger or flight risk in a way that he was not when he was released from detention at the border in 2023.

18. Additionally, Respondents' recent policies announced through administrative decisions issued by the BIA unlawfully withhold the right to a bond hearing under 8 U.S.C. § 1226(a) to Mr. Ramirez Lario.

19. These policies are arbitrary, capricious, and not in accordance with the text of the INA.

PRAYER FOR RELIEF

WHEREFORE, Petitioner prays that this Court grant the following relief:

Issue a Writ of Habeas Corpus ordering Respondents to release Petitioner from custody immediately on his own recognizance or under parole, bond or reasonable conditions of supervision, on the ground that his continued detention by the Department of Homeland Security violates his Due Process rights;

Set aside Respondents' unlawful detention policy contained *Matter of Q. Li* and *Matter of Yajure Hurtado* under the APA, 5 U.S.C. § 706(2), as contrary to law, arbitrary and capricious, and contrary to constitutional right;

Issue a writ requiring an immediate, constitutionally adequate hearing before an Immigration Judge, at which: (i) DHS bears the burden to demonstrate, by clear and convincing evidence, that Petitioner's continued detention is necessary, and (ii) the immigration judge considers Petitioner's ability to pay a bond.

While this petition is pending, order Petitioner's immediate release pursuant to the Court's inherent authority to release habeas corpus petitioners on bail;

Enter a judgment declaring that Respondents' detention of Petitioner is unauthorized by statute and contrary to law and the U.S. Constitution; Award Petitioner reasonable costs and attorneys' fees; Grant any further relief that this Court may deem fit and proper.

Dated: December 8th, 2025

Respectfully submitted,

s/Jose C. Campos, Esq.

Jose C. Campos (PA Bar 207646)

The Campos Firm

251 East Broad Street

Bethlehem, PA 18018

p. (610) 868-2230

jc@jccamposlaw.com

ATTORNEY FOR PETITIONER

LIST OF EXHIBITS

Exh. A. I-130 and I-601A Application Approval Notices

Exh. B. I-213 Record of Deportable Alien

Exh. C. Notice to Appear


EXHIBIT A

EXHIBIT B

U.S. Department of Homeland Security

Subject ID : XXXXXXXXXX

Record of Deportable/Inadmissible Alien

Family Name (CAPS) RAMIREZ LARIO, JOSE DOMINGO		First	Middle	Sex M	Hair BLK	Eyes BRO	Complexion MBR
Country of Citizenship GUATEMALA	Passport Number and Country of Issue XXXXXXXXXX	File Number XXXXXXXXXX		Height 66	Weight 165	Occupation Laborer	
U.S. Address XXXXXXXXXX PENNSYLVANIA, 18018,				Scars and Marks			
Date, Place, Time, and Manner of Last Entry Unknown Date Unknown Time, UNK, WI-Without Inspection			Passenger Boarded at	FBI Number XXXXXXXXXX			
Number, Street, City, Province (State) and Country of Permanent Residence				<input type="checkbox"/> Single <input type="checkbox"/> Divorced <input type="checkbox"/> Married <input type="checkbox"/> Widower <input type="checkbox"/> Separated			
Date of Birth XXXXXXXXXX	Age: 39	Date of Action 11/24/2025	Location Code PKE/PHI	Method of Location/Apprehension NCA			
City, Province (State) and Country of Birth GUATEMALA	AR <input checked="" type="checkbox"/>	Form: (Type and No.) <input type="checkbox"/> Lifted <input type="checkbox"/> Not Lifted <input type="checkbox"/>		At/Near See I-831	Date/Hour 11/24/2025 11:52		
NIV Issuing Post and NIV Number	Social Security Account Name			By See Narrative			
Date Visa Issued	Social Security Number			Status at Entry		Status When Found	
Immigration Record NEGATIVE				Criminal Record See Narrative			
Name, Address, and Nationality of Spouse (Maiden Name, if Appropriate)				Number and Nationality of Minor Children None			
Father's Name, Nationality, and Address, if Known RAMIREZ, ARNULFO NATIONALITY: GUATEMALA		Mother's Present and Maiden Names, Nationality, and Address, if Known LARIO, MARIA NATIONALITY: GUATEMALA					
Monies Due/Property in U.S. Not in Immediate Possession None Claimed	Fingerprinted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Systems Checks See Narrative	Charge Code Words(s) See Narrative				
Name and Address of (Last)(Current) U.S. Employer	Type of Employment Unemployed or Retired	Salary	Employed from/to Hr				
Narrative (Outline particulars under which alien was located/apprehended. Include details not shown above regarding time, place and manner of last entry, attempted entry, or any other entry, and elements which establish administrative and/or criminal violation. Indicate means and route of travel to interior.)							
FIN: XXXXXXXXXX		Left Index fingerprint			Right Index fingerprint		
							
Family Information							
Father: RAMIREZ, ARNULFO is a citizen of GUATEMALA, , his immigration status is No Status. Mother: LARIO, MARIA is a citizen of GUATEMALA, , her immigration status is No Status. Spouse: Subject is not married. Child: Subject does not have children or dependents.							
... (CONTINUED ON I-831)							
Alien has been advised of communication privileges _____ (Date/Initials)				J4984 DONOVAN Deportation Officer			
Distribution: A-file				Received: (Subject and Documents) (Report of Interview)			
				Officer: J4984 DONOVAN			
				on: November 24, 2025 (time)			
				Disposition: Warrant of Arrest/Notice to Appear			
				Examining Officer: BUSKIRK, B 7485			

FOIR - 4 of 17

U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name RAMIREZ LARIO, JOSE DOMINGO	File Number [REDACTED] Event No: [REDACTED]	Date 11/24/2025
Subject Health Status ----- The subject claims good health.		
Current Administrative Charges ----- 11/24/2025 - 212a6Ai - ALIEN PRESENT WITHOUT ADMISSION OR PAROLE - (PWAs) 11/24/2025 - 212a7AiI - IMMIGRANT WITHOUT AN IMMIGRANT VISA		
RECORDS CHECKED ----- CIS checked on 11/24/2025 with Positive result. NCIC checked on 11/24/2025 with Positive result. EARM checked on 11/24/2025 with Negative result.		
ARRESTING AGENTS ----- J4984 DONOVAN G 4242 MARINO CD09793 BACHART		
Arrested At/Near ----- 1404 Walter St Bethlehem PA 180155349 USA		
Record of Deportable/Excludable Alien: ----- Arresting Officers: Donovan, Marino, HSI Caskey, and HSI Baxavaneos Processing Officers: Donovan, Bachart, and Marino		
ENCOUNTER: On 11/24/2025, ERO Pike CAP encountered Jose Ramirez Lario (hereafter referred to as the subject) at the Northampton County MDJ Court 03-2-04, after his arrest for corruption of minors and selling/furnishing alcohol to minors. Officers conducted records checks and established probable cause indicating the subject is an alien who is deportable from the United States. Based on these facts, the Pike ERO CAP Team took the subject into custody without incident and transported him to the Pike ERO Office for processing. The subject was processed as a Notice to Appear.		
ALIENAGE AND REMOVABILITY The subject claims to be a citizen of Guatemala. The subject claims he was born in Guatemala on [REDACTED]. The subject claims he entered at an unknown place and time without inspection or parole by an Immigration Officer. The subject was charged pursuant to violations under section 212(a)(6)(A)(i) and 212(a)(7)(A)(i)(I) of the Immigration and Nationality Act, as amended.		
FAMILY HISTORY The subject claims his parents are citizens of Guatemala. The subject claims to be married to a USC with 2 USC children in the custody of the mother.		
Signature J4984 DONOVAN	Title Deportation Officer	

U.S. Department of Homeland Security

Continuation Page for Form I-213

Alien's Name RAMIREZ LARIO, JOSE DOMINGO	File Number [REDACTED] Event No: [REDACTED]	Date 11/24/2025
IMMIGRATION HISTORY The subject entered the United States without inspection or parole by an Immigration Officer. The subject has approved I-130 and I-601A applications.		
CRIMINAL HISTORY On 2/7/2017, Effingham, IL Police arrested the subject for driving without a license. On 5/4/2017, the subject was convicted of a traffic offense. On 10/28/2025, Hellertown, PA Police arrested the subject for corruption of minors, tampering with evidence, and inducing minors to buy liquor. On 11/24/2025, the subject plead guilty to 2 counts of disorderly conduct and sentenced to fines/costs.		
HEALTH AND HUMANITARIAN The subject claims good health. The subject denies any significant humanitarian concerns.		
PHONE CALL AND CONSULAR NOTIFICATION The subject was given a three-minute telephone call. The subject is a citizen of Guatemala which is not a mandatory notification country. The subject declined notification of the consulate of his arrest and detention.		
INTEL The subject does not have any scars or tattoos. The subject has valid Guatemalan passport in his A-file- [REDACTED]. The subject denies membership in any gang or criminal organization. The subject denies service in any branch of the U.S. military. The subject denies service in any branch of his home country's military.		
DISPOSITION Officers processed the subject as a Notice to Appear, and he will be detained without bond at this time. The subject was provided with the most current list of legal services.		
Other Identifying Numbers ----- [REDACTED] State Criminal Number/State Bureau Number- [REDACTED] (UNITED STATES) State Criminal Number/State Bureau Number- [REDACTED] (UNITED STATES) Other Biometric- [REDACTED]		
Signature J4984 DONOVAN	Title Deportation Officer	

EXHIBIT C

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

DOB: [REDACTED]

Event No: [REDACTED]

In removal proceedings under section 240 of the Immigration and Nationality Act:

Subject ID: [REDACTED]

FINS: [REDACTED]

File No: [REDACTED]

In the Matter of:

Respondent: JOSE DOMINGO RAMIREZ LARIO currently residing at:

175 Pike County Blvd Lords Valley, PENNSYLVANIA 18428

(Number, street, city, state and ZIP code)

(Area code and phone number)

- You are an arriving alien.
- You are an alien present in the United States who has not been admitted or paroled.
- You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of GUATEMALA and a citizen of GUATEMALA;
3. You entered the United States at or near Unknown, on or about unknown date;
4. You were not then admitted or paroled after inspection by an Immigration Officer.
5. You are an immigrant not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Immigration and Nationality Act; and/or See Continuation Page Made a Part Hereof

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

See Continuation Page Made a Part Hereof

- This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
- Section 235(b)(1) order was vacated pursuant to: 8CFR 208.30 8CFR 235.3(b)(5)(iv)


YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

625 EVANS ST, RM 148A, ELIZABETH, NEW JERSEY 07201. PIKE COUNTY PRISON

(Complete Address of Immigration Court, including Room Number, if any)

on December 8, 2025 at 1:30 pm to show why you should not be removed from the United States based on the
(Date) (Time)

charge(s) set forth above.

B 7485 BUSKIRK - SDDO 
(Signature and Title of Issuing Officer)

Date: November 24, 2025

Lords Valley, PA
(City and State)

EOIR - 1 of 4

Notice to Respondent

Warning: Any statement you make may be used against you in removal proceedings.

Alien Registration: This copy of the Notice to Appear served upon you is evidence of your alien registration while you are in removal proceedings. You are required to carry it with you at all times.

Representation: If you so choose, you may be represented in this proceeding, at no expense to the Government, by an attorney or other individual authorized and qualified to represent persons before the Executive Office for Immigration Review, pursuant to 8 CFR 1003.16. Unless you so request, no hearing will be scheduled earlier than ten days from the date of this notice, to allow you sufficient time to secure counsel. A list of qualified attorneys and organizations who may be available to represent you at no cost will be provided with this notice.

Conduct of the hearing: At the time of your hearing, you should bring with you any affidavits or other documents that you desire to have considered in connection with your case. If you wish to have the testimony of any witnesses considered, you should arrange to have such witnesses present at the hearing. At your hearing you will be given the opportunity to admit or deny any or all of the allegations in the Notice to Appear, including that you are inadmissible or removable. You will have an opportunity to present evidence on your own behalf, to examine any evidence presented by the Government, to object, on proper legal grounds, to the receipt of evidence and to cross examine any witnesses presented by the Government. At the conclusion of your hearing, you have a right to appeal an adverse decision by the immigration judge. You will be advised by the Immigration Judge before whom you appear of any relief from removal for which you may appear eligible including the privilege of voluntary departure. You will be given a reasonable opportunity to make any such application to the immigration judge.

One-Year Asylum Application Deadline: If you believe you may be eligible for asylum, you must file a Form I-589, Application for Asylum and for Withholding of Removal. The Form I-589, Instructions, and information on where to file the Form can be found at www.uscis.gov/i-589. Failure to file the Form I-589 within one year of arrival may bar you from eligibility to apply for asylum pursuant to section 208(a)(2)(B) of the Immigration and Nationality Act.

Failure to appear: You are required to provide the Department of Homeland Security (DHS), in writing, with your full mailing address and telephone number. You must notify the Immigration Court and the DHS immediately by using Form EOIR-33 whenever you change your address or telephone number during the course of this proceeding. You will be provided with a copy of this form. Notices of hearing will be mailed to this address. If you do not submit Form EOIR-33 and do not otherwise provide an address at which you may be reached during proceedings, then the Government shall not be required to provide you with written notice of your hearing. If you fail to attend the hearing at the time and place designated on this notice, or any date and time later directed by the Immigration Court, a removal order may be made by the immigration judge in your absence, and you may be arrested and detained by the DHS.

Mandatory Duty to Surrender for Removal: If you become subject to a final order of removal, you must surrender for removal to your local DHS office, listed on the internet at http://www.ice.gov/contact/ero, as directed by the DHS and required by statute and regulation. Immigration regulations at 8 CFR 1241.1 define when the removal order becomes administratively final. If you are granted voluntary departure and fail to depart the United States as required, fail to post a bond in connection with voluntary departure, or fail to comply with any other condition or term in connection with voluntary departure, you must surrender for removal on the next business day thereafter. If you do not surrender for removal as required, you will be ineligible for all forms of discretionary relief for as long as you remain in the United States and for ten years after your departure or removal. This means you will be ineligible for asylum, cancellation of removal, voluntary departure, adjustment of status, change of nonimmigrant status, registry, and related waivers for this period. If you do not surrender for removal as required, you may also be criminally prosecuted under section 243 of the Immigration and Nationality Act.

U.S. Citizenship Claims: If you believe you are a United States citizen, please advise the DHS by calling the ICE Law Enforcement Support Center toll free at (855) 448-6903.

Sensitive locations: To the extent that an enforcement action leading to a removal proceeding was taken against Respondent at a location described in 8 U.S.C. § 1229(e)(1), such action complied with 8 U.S.C. § 1367.

Request for Prompt Hearing

To expedite a determination in my case, I request this Notice to Appear be filed with the Executive Office for Immigration Review as soon as possible. I waive my right to a 10-day period prior to appearing before an immigration judge and request my hearing be scheduled.

Before:

(Signature of Respondent)

Date:

(Signature and Title of Immigration Officer)

Certificate of Service

This Notice To Appear was served on the respondent by me on November 24, 2025, in the following manner and in compliance with section 239(a)(1) of the Act.

- in person by certified mail, returned receipt # requested by regular mail
Attached is a credible fear worksheet.
Attached is a list of organization and attorneys which provide free legal services.

The alien was provided oral notice in the SPANISH language of the time and place of his or her hearing and of the consequences of failure to appear as provided in section 240(b)(7) of the Act.

(Signature of Respondent if Personally Served)

G 4242 MARINO - DEPORTATION OFFICER
(Signature and Title of officer)

EOIR - 2 of 4

Privacy Act Statement

Authority:

The Department of Homeland Security through U.S. Immigration and Customs Enforcement (ICE), U.S. Customs and Border Protection (CBP), and U.S. Citizenship and Immigration Services (USCIS) are authorized to collect the information requested on this form pursuant to Sections 103, 237, 239, 240, and 290 of the Immigration and Nationality Act (INA), as amended (8 U.S.C. 1103, 1229, 1229a, and 1360), and the regulations issued pursuant thereto.

Purpose:

You are being asked to sign and date this Notice to Appear (NTA) as an acknowledgement of personal receipt of this notice. This notice, when filed with the U.S. Department of Justice's (DOJ) Executive Office for Immigration Review (EOIR), initiates removal proceedings. The NTA contains information regarding the nature of the proceedings against you, the legal authority under which proceedings are conducted, the acts or conduct alleged against you to be in violation of law, the charges against you, and the statutory provisions alleged to have been violated. The NTA also includes information about the conduct of the removal hearing, your right to representation at no expense to the government, the requirement to inform EOIR of any change in address, the consequences for failing to appear, and that generally, if you wish to apply for asylum, you must do so within one year of your arrival in the United States. If you choose to sign and date the NTA, that information will be used to confirm that you received it, and for recordkeeping.

Routine Uses:

For United States Citizens, Lawful Permanent Residents, or individuals whose records are covered by the Judicial Redress Act of 2015 (5 U.S.C. § 552a note), your information may be disclosed in accordance with the Privacy Act of 1974, 5 U.S.C. § 552a(b), including pursuant to the routine uses published in the following DHS systems of records notices (SORN): DHS/USCIS/ICE/CBP-001 Alien File, Index, and National File Tracking System of Records, DHS/USCIS-007 Benefit Information System, DHS/ICE-011 Criminal Arrest Records and Immigration Enforcement Records (CARIER), and DHS/ICE-003 General Counsel Electronic Management System (GEMS), and DHS/CBP-023 Border Patrol Enforcement Records (BPER). These SORNs can be viewed at <https://www.dhs.gov/system-records-notices-sorn>. When disclosed to the DOJ's EOIR for immigration proceedings, this information that is maintained and used by DOJ is covered by the following DOJ SORN: EOIR-001, Records and Management Information System, or any updated or successor SORN, which can be viewed at <https://www.justice.gov/opcl/doj-systems-records>. Further, your information may be disclosed pursuant to routine uses described in the abovementioned DHS SORNs or DOJ EOIR SORN to federal, state, local, tribal, territorial, and foreign law enforcement agencies for enforcement, investigatory, litigation, or other similar purposes.

For all others, as appropriate under United States law and DHS policy, the information you provide may be shared internally within DHS, as well as with federal, state, local, tribal, territorial, and foreign law enforcement; other government agencies; and other parties for enforcement, investigatory, litigation, or other similar purposes.

Disclosure:

Providing your signature and the date of your signature is voluntary. There are no effects on you for not providing your signature and date; however, removal proceedings may continue notwithstanding the failure or refusal to provide this information.

U.S. Department of Homeland Security

Continuation Page for Form I-862

Alien's Name RAMIREZ LARIO, JOSE DOMINGO	File Number [REDACTED] Event No: [REDACTED]	Date 11/24/2025
---	---	--------------------

THE SERVICE ALLEGES THAT YOU:

6. You are an immigrant not in possession of a valid unexpired passport, or other suitable travel document, or document of identity and nationality.

ON THE BASIS OF THE FOREGOING, IT IS CHARGED THAT YOU ARE SUBJECT TO REMOVAL FROM THE UNITED STATES PURSUANT TO THE FOLLOWING PROVISION(S) OF LAW:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

212(a)(7)(A)(i)(I) of the Immigration and Nationality Act (Act), as amended, as an immigrant who, at the time of application for admission, is not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Act, and a valid unexpired passport, or other suitable travel document, or document of identity and nationality as required under the regulations issued by the Attorney General under section 211(a) of the Act.

Signature B 7485 BUSKIRK 	Title SDDO
---	---------------

