

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION

JACOBO ALONZO-LORENZO CIVIL ACTION NO. 1:25-cv-02028-JE-JPM
VERSUS DISTRICT JUDGE EDWARDS
KRISTI NOEM, ET AL MAGISTRATE JUDGE PEREZ-MONTES

REPLY IN SUPPORT OF HABEAS PETITION

Petitioner Jacobo Alonzo-Lorenzo, a long-term resident detained without bond, respectfully submits this reply. Respondents' opposition misunderstands the law, and this Court has jurisdiction, and the Petitioner falls outside the scope of mandatory detention. Petitioner is entitled to the protection of the *Maldonado Bautista* class judgment and the Constitution, and Respondents must provide a prompt bond hearing or release him.

I. JURISDICTION EXISTS UNDER §2241

The Court can review Petitioner's detention. The Supreme Court has made clear that 28 U.S.C. §2241 remains available for "statutory and constitutional challenges" to immigration detention. Neither 8 U.S.C. §1252(g) nor §1252(b)(9) strips habeas jurisdiction over Petitioner's claims, which attack the legality of his custody rather than a discretionary decision. *Jennings v. Rodriguez* held that constitutional challenges to prolonged immigration detention are cognizable. In *Zadvydas v. Davis*, the Court expressly "conclude[d] that §2241 habeas corpus proceedings remain available" for such challenges. Likewise, *Demore v. Kim* recognized that habeas is the proper vehicle for statutory detention disputes. In short, Petitioner's challenge to mandatory detention under the INA and his constitutional rights is fully within this Court's jurisdiction to decide.

II. PETITIONER IS NOT SUBJECT TO §1225(B)(2) MANDATORY DETENTION

Petitioner entered without inspection in 2004 and has lived here legally since then. He clearly falls within the Bond-Eligible Class certified in *Maldonado Bautista* (indigent, in the U.S. without inspection for decades, and not detained under §§1226(c), 1225(b)(1), or 1231). Under the court's declarations, he "shall be detained" under §1226(a) (with a bond hearing) and not under §1225(b)(2). See *Maldonado Bautista v. Santacruz*, No. 5:25-cv-01873 (C.D. Cal. Feb. 18, 2026).

a) Fifth Circuit's Statutory Ruling is Not Controlling Here.

In *Buenrostro-Mendez v. Bondi*, the Fifth Circuit held that certain long-time residents still satisfy the literal definition of "applicant for admission" in §1225(a)(1) and hence fall under the mandatory detention command of §1225(b)(2). But that case only resolved a statutory interpretation question. It did not consider Petitioner's circumstances or the broader statutory scheme. In fact, *Buenrostro-Mendez* acknowledged that *Zadvydas* concerns were "not directly applicable" since the aliens there were "being given due process during removal proceedings." The Fifth Circuit did not address due process or bond eligibility for class members like Petitioner, so its conclusion does not preclude this Court from enforcing the *Maldonado Bautista* judgment or recognizing Petitioner's bond rights.

b) Bond-Eligible Class and Vacatur of *Yajure*.

Crucially, on February 18, 2026, Judge Sykes (C.D. Cal.) enforced the *Maldonado Bautista* injunction by vacating *Matter of Yajure Hurtado*. *Yajure* had been used by Immigration Judges ("IJ") to deny bond hearings to inadmissible long-term residents. The court found *Yajure* "contrary to law" and effectively nullified it. With *Yajure* vacated, the only remaining authority for mandatory detention in Petitioner's case is gone. Under the Bond-Eligible Class judgment,

Petitioner is entitled to a bond hearing under §1226(a). Immigration judges have no lawful basis to ignore that judgment.

Furthermore, Section 1225(b)(2)(A) applies to new arrivals at the border and contains no bond mechanism, but §1226(a) covers aliens already in the country awaiting removal, authorizing bonds. Petitioner, apprehended interiorly decades after entry, is plainly governed by §1226(a), not by the summary detention provisions of §1225. *See Jennings*, 583 U.S. at 13–19 (noting the statutory distinction).

In summary, Petitioner’s detention under §1225(b)(2) cannot stand. The courts that have considered similar cases have granted relief, emphasizing that §1225(b)(2) does not reach class members like Petitioner and that §1226(a) governs. The Fifth Circuit’s ruling, being non-final and narrowly statutory, does not bar this Court from ordering a bond hearing.

III. VACATUR OF MATTER OF YAJURE HURTADO

Judge Sykes’s enforcement order is binding nationwide because it “VACATES *Matter of Yajure Hurtado* under the APA.” *Yajure* had “parrot[ed] the DHS [pre-2025] Policy” and was deemed unlawful. Thus, immigration judges have been instructed to ignore *Yajure* for class members. Respondents concede Petitioner is a class member but continue to follow *Yajure*. That violates the Final Judgment’s nationwide declaratory relief and civil contempt law. After *Yajure*’s vacatur, any continued detention without bond for a class member flies in the face of clear judicial directive.

In light of Judge Sykes’s order, any IJ instructions relying on *Yajure* are themselves unlawful, and Petitioner must be afforded a bond hearing under §1226(a) immediately.

IV. PROCEDURAL DUE PROCESS REQUIRES A BOND HEARING

Even aside from statutory mandates, Petitioner’s continued detention raises serious due process concerns. The Fifth Amendment forbids depriving any person of liberty without due

process, and “freedom from imprisonment ... lies at the heart of the liberty” protected. Indefinite civil detention without an individualized review is presumptively unconstitutional absent a compelling justification. *Demore v. Kim* emphasized that immigration detention beyond a “brief period necessary for removal proceedings” is exceptional. Here, Petitioner has been in custody since September 2025, well beyond any “brief period” for removal.

Under *Mathews v. Eldridge*, the balance of interests strongly favors Petitioner: he has a substantial liberty interest in bond, the risk of error is high if no hearing is provided, and the burden on the government of holding a bond hearing is minimal. The government has proffered no individualized finding that Petitioner is a flight risk or danger. The deprivation of his liberty for months, without even the usual §1226(a) process, would be unprecedented and violate due process. *Buenrostro-Mendez* explicitly left unresolved the question whether such prolonged detention satisfies due process. The answer is clear. Petitioner must be given a bond hearing.

V. CONCLUSION

For all the above reasons, this Court should grant the petition. Petitioner is entitled either to immediate release or, at a minimum, a §1226(a) bond hearing within seven days as ordered by *Maldonado Bautista* court. The government’s willful defiance of binding class relief and dismissal of constitutional safeguards cannot be tolerated. Petitioner also respectfully requests attorney’s fees under EAJA, 28 U.S.C. §2412, and any other relief deemed just.

Dated: February 24, 2026

Respectfully Submitted,

/S/ David Joseph Rozas

David J. Rozas
7967 office park Blvd.
Baton Rouge La 70809
225-478-1111
David@rozaslzaw.com

Attorney for Petitioner

/S/ Luis Angeles

Luis Angeles, Esq. Bar N. 25-384
Angeles Law LLC
2112 Broadway St NE STE 225 #53
Minneapolis, MN 55413
T: (321) 334-0568
Luis@abogadoangeles.com
Attorney for Petitioner

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I represent Petitioner, JACOBO ALONZO-LORENZO, and submit this verification on his behalf. I hereby verify that the factual statements made in the foregoing REPLY IN SUPPORT OF HABEAS PETITION are true and correct to the best of my knowledge.

Dated: February 24, 2026

/S/ David Joseph Rozas
David Joseph Rozas, Esq.

/s/Luis Angeles
Luis Angeles

CERTIFICATE OF SERVICE

I hereby certify that on February 24, 2026, I filed the foregoing REPLY IN SUPPORT OF HABEAS PETITION electronically through the CM/ECF system, which caused all parties or counsel to be served by electronic means as more fully reflected on the Notice of Electronic Filing.

Dated: February 24, 2026

/S/ David Joseph Rozas
David Joseph Rozas, Esq.

/s/Luis Angeles
Luis Angeles