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9 UNITED STATES DISTRICT COURT
10 DISTRICT OF ARIZONA

11 Sandra Patricia Villanueva-Rollo,
12 Petitioner,
13 v.

14 Kristi Noem, Secretary of the United States Department
15 of Homeland Security, in her official capacity; Todd
16 Lyons, Acting of the Director of U.S. Immigration and
17 Customs Enforcement, in his official capacity; John
18 Cantu, Field Office Director for ICE's Enforcement and
19 Removal Operation's ("ERO") Phoenix, Arizona Field
20 Office, in his official capacity; Sirce Owen, Acting
21 Director of Executive Office for Immigration Review, in
22 her official capacity; Fred Figueroa, Warden, Eloy
23 Federal Detention Center, in his official capacity;
24 Respondents.

Case No.

A No. 

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

25 INTRODUCTION

26 Petitioner Sandra Patricia Villanueva-Rollo, a native of Columbia, was
27 apprehended on 5/18/2022 entering the U.S. and was released on parole, on her own
28 recognizance, on 5/19/2022. See, Alien Booking Record and parole documents filed
herewith as Exhibit 1. The Notice to Appear (NTA) dated 9/13/2025 checks a box stating
she is "an alien present in the United States who has not been admitted *or paroled*" and
then alleges she was not "admitted *nor paroled* after inspection by an Immigration
Officer" (emphasis added) See, Notice to Appear filed herewith as Exhibit 2.

1 It is well-established that U.S. Immigration and Customs Enforcement (ICE) may
2 only re-arrest a noncitizen previously detained and allowed into the United States when
3 there has been a “material” change in circumstances since the individual’s initial release.
4 See 8 U.S.C. § 1226(b); 8 C.F.R. § 236.1(c)(9). *Saravia v. Barr*, 280 F. Supp. 3d 1168,
5 1197 (N.D. Cal. 2017), *aff’d sub nom. Saravia for A.H. v. Sessions*, 905 F.3d 1137 (9th
6 Cir. 2018). As recently explained by Judge Daniel J. Calabretta of the Eastern District of
7 California:

9 ...once Petitioner was granted parole at the port of entry, it reflected a federal
10 determination that he did not pose a flight risk or a danger to the community.
11 Thus, any future parole revocation by the government must follow certain
12 procedural parameters as set out in the regulations. See, e.g., *E.A.P.C. v.*
13 *Wofford*, No. 1:25-cv-01546-JLT-CDB, 2025 WL 3289185, at *6 (E.D. Cal.
14 Nov. 25, 2025) (collecting cases explaining processes for revocation of
15 parole of noncitizens); *Saravia v. Sessions*, 280 F. Supp. 3d 1168, 1196–97
16 (N.D. Cal. 2017) (discussing parole revocations and government’s practice to
17 “generally only re-arrest[] an alien pursuant to § 1226(b) after a material
18 change in circumstances”); *Salcedo Aceros v. Kaiser*, No. 25-cv-06924-EMC,
19 2025 WL 2637503, at *3 (N.D. Cal. Sept. 12, 2025) (same). Accordingly, for
20 Petitioner’s parole revocation to be constitutionally adequate, the government
21 must show that there has been changed circumstances warranting his re-
22 arrest.

23 *Jose Pedro Ortega v. Noem, et al.*, Case No. 1:25-CV-01663-DJC-CKD, 2025 WL
24 3511914, at *2 (E.D. Cal. Dec. 8, 2025).

25 Thus, before parole may be revoked, the parolee must be given written notice of the
26 impending revocation, which must include a cogent description of the reasons supporting
27 the revocation decision. *Y-Z-H-L v. Bostock*, 2025 WL 1898025, at *10–12 (D. Or. July 9,
28 2025). *Accord, Pinchi v. Noem*, Case No. 5:25-CV-05632-PCP, ___ F. Supp. 3d ___,
2025 WL 2084921, at *3 (N.D. Cal. July 24, 2025) (“even when ICE has the initial discretion
to detain or release a noncitizen pending removal proceedings, after that individual is
released from custody she has a protected liberty interest in remaining out of custody.”)

Here, Ms. Villanueva-Rollo was not given any written notice regarding revocation of
her parole, the reasons for such revocation or the opportunity to challenge same. Indeed,

1 in light of the errors contained in her NTA, she does not appear to be properly detained at
2 all and should be immediately released.

3 JURISDICTION & CUSTODY

4 1. Petitioner Sandra Patricia Villanueva-Rollo is in the physical custody
5 of Respondents and Immigration and Customs Enforcement (ICE), an agency within
6 the Department of Homeland Security.
7

8 2. Petitioner is currently detained at the Eloy Federal Detention Center in
9 Eloy, Arizona and is under the direct control of Respondents and their agents. *See*,
10 12/9/2025 ICE Locator page filed herewith as Exhibit 3.

11 3. This action arises under the Constitution of the United States and 8
12 U.S.C. § 1101 *et seq.*
13

14 4. This Court has jurisdiction under 28 U.S.C. § 2241, Art. I § 9, cl. 2 of
15 the United States Constitution, 28 U.S.C. § 1331, and the common law. This Court
16 may grant relief pursuant to 28 U.S.C. § 2241, the Declaratory Judgment Act, 28
17 U.S.C. § 2201 *et seq.*, and the All Writs Act, 28 U.S.C. § 1651.
18


19 5. Congress has preserved judicial review of challenges to immigration
20 detention. *See Jennings v. Rodriguez*, 583 U.S. 122, 130-131 (2018) (holding that 8
21 U.S.C. §§ 1226(e) and 1252(b)(9) do not bar review of challenges to prolonged
22 immigration detention).
23

24 6. The Court must grant the petition for writ of habeas corpus or order
25 Respondents to show cause “forthwith,” unless the petitioner is not entitled to relief. 28
26 U.S.C. § 2243. If an order to show cause is issued, Respondents must file a return
27 “within three days unless for good cause additional time, not exceeding twenty days, is
28 allowed.” *Id.*

1 21. On 11/30/2022, within one year of being allowed to enter the U.S.,
2 Petitioner submitted an I-589, Application for Asylum and for Withholding of Removal,
3 to the United States Citizenship and Immigration Services . See, Form I-589 filed
4 herewith as Exhibit 3. Petitioner sought asylum based on persecution by rival political
5 groups, physical attacks and the situation in Columbia. *Id.*

6 22. Ms. Villanueva-Rollo was arrested on 7/22/2025 for a “touch or strike”
7 domestic assault against her daughter, which was withdrawn the same day. See, DHS
8 Evidence filed herewith as Exhibit 5. The Broward County Sheriff’s Office placed an
9 Immigration Hold against Petitioner on 7/22/2025 and she has remained in custody
10 since. *Id.*

11 23. Petitioner was issued an NTA on 9/13/2025 that checks a box stating
12 she is “an alien present in the United States who has not been admitted *or paroled*”
13 and then alleges she was not “admitted *nor paroled* after inspection by an Immigration
14 Officer” (emphasis added). See, Notice to Appear filed herewith as Exhibit 2.

15 24. Due to the issuance of the NTA, the Asylum Vetting Center closed
16 Petitioner’s affirmative asylum case and forwarded the I-589 to the EOIR for
17 consideration as a defensive application. See, 9/28/2025 memo from USCIS Asylum
18 Vetting Center to EOIR re PA A#  which is the first page of the I-589,
19 Application for Asylum and for Withholding of Removal, filed herewith as Exhibit 4.

20 25. On 10/8/2025, DHS filed a Motion To Pretermitt Petitioner’s Protection
21 Applications and on 12/8/2025 Petitioner filed an Opposition. See, Exhibits 5 and 6 filed
22 herewith.

23 26. Petitioner is currently located at the Eloy Federal Detention Center in
24 Eloy, Arizona. See, 12/9/2025 ICE Locator page filed as Exhibit 3.

1 Guidance Regarding Detention Authority for Applications for Admission filed herewith
2 as Exhibit 8.

3 33. On September 5, 2025, the BIA entered the precedential decision
4 *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (B.I.A. 2025), filed herewith as Exhibit 9,
5 which holds that all noncitizens who enter without inspection are "applicants for
6 admission" under 8 U.S.C. § 1225(a) and therefore subject to mandatory detention
7 under § 1225(b)(2), without regard for the length of time they have lived in the United
8 States.
9

10
11 34. The Ninth Circuit has held that § 1226(a) is the "default" detention
12 statute for aliens in removal proceedings "[8 U.S.C. §1226(a) ("Subsection A")] is the
13 default detention statute for noncitizens in removal proceedings and applies to
14 noncitizens "[e]xcept as provided in [Subsection C]." 8 U.S.C. § 1226(a)." *Avilez v.*
15 *Garland*, 69 F. 4th 525, 529-530 (9th Cir. 2022). *Accord, Rodriguez Diaz v. Garland*, 83
16 F. 4th 1177, 1179 (9th Cir. 2023); *Sarr v. Scott*, 765 F. Supp. 3d 1091, 1095 (WD Wash.
17 2025); *Prieto-Romero v. Clark*, 534 F.3d 1053, 1057 (9th Cir. 2008). *Casas-Castrillon v.*
18 *DHS*, 535 F.3d 942 (9th Cir. 2008).
19

20
21 35. On November 12, 2025, Judge William M.Conley of the Western
22 District of Wisconsin issued a 17-page order carefully examining these issues and
23 gathering cases, noting that:

24 ...more than 45 district courts have now rejected similar arguments
25 made by respondents here and ordered bond hearings for noncitizens
26 who, like petitioner, were apprehended within the United States years
27 after entering without admission or inspection unless implicated by any
28 criminal activity covered by § 1226(c). These decisions, along with a
growing number of others now including this court have concluded that
the statutory text, the statute's history, Congressional intent, and §
1226(a)'s application for the past three decades support its application
to noncitizens in petitioner's position. (cleaned up - collecting cases in
footnote 6)

1 *Quinapanta v. Bondi*, Case No. 25-cv-795-WMC (W.D. Wisc. 11/12/2025).

2 36. In Arizona, the following cases have recently so held:

- 3
- 4 1) Order granting habeas in *Millan-Osuna v. Cantu, et al.*, Case No. 25-cv-
5 04019-MTL--JFM (D. Ariz. 11-26-25)(“Respondents’ view represents the
6 minority position—in the weeks since Judge Lanza considered the issue in
7 *Echevarria*, dozens of other courts have reached the same conclusion....
8 Petitioner must receive a bond hearing under 8 U.S.C. § 1226(a).”).
- 9 2) Order granting habeas in *Luna-Gonzalez v. Noem, et al.*, Case No. 25-cv-
10 03794-MTL (D. Ariz. 11-26-25)(“Having reviewed the recent decisions
11 adopting the minority view, the Court agrees with the conclusion reached by
12 Judge Lanza in *Echevarria*.”).
- 13 3) Order granting habeas in *Najarro Zuniga v. Bondi, et al.*, Case No. 25-cv-
14 04175-SHD (D. Ariz. 11-24-25)(“In the OSC, the Court observed that
15 Petitioner’s case was virtually indistinguishable from Francisco Echevarria...
16 in which Judge Lanza determined individuals like Petitioner are governed by
17 § 1226 and not § 1225(b)(2)(A).”).
- 18 4) Order granting habeas in *Padron-Carreron v. Noem, et al.*, Case No. 25-cv-
19 04204-DWL (D. Ariz. 11-24-25)(“having carefully reviewed the recent
20 decisions adopting the minority view, the Court respectfully declines to
21 revisit the conclusion it reached in *Echevarria*.”).
- 22 5) Order granting habeas in *Rodriguez Plascencia v. Bondi, et al.*, Case No. 25-
23 cv-03794-MTL (D. Ariz. 11-21-25)(“having carefully reviewed the recent
24 decisions adopting the minority view, the Court respectfully declines to
25 revisit the conclusion it reached in *Echevarria*.”).
- 26 6) Order granting habeas in *Rodrigues da Silva v. Figueroa, et al.*, Case No. 25-
27 cv-04015-PHX (D. Ariz. 11-18-25)(“dozens of other district courts have
28 concluded individuals like Petitioner are subject to § 1226 and not § 1225
and, therefore, are not subject to mandatory detention”), gathering cases.
- 7) Order granting habeas in *Perez Rodriguez v. Noem, et al.*, Case No. 25-cv-
03921-PHX (D. Ariz. 11/13/2025)(“the vast majority of courts concluded
individuals like Petitioner are subject to § 1226 and not § 1225 and,
therefore, are not subject to mandatory detention”).
- 8) Order granting habeas in *Gonzalez Rodriguez v. Bondi, et al.*, Case No. 25-
cv-03917-PHX (D. Ariz. 11-6-25)(“dozens of other district courts have
concluded individuals like Petitioner are subject to § 1226 and not § 1225
and, therefore, are not subject to mandatory detention”).
- 9) Order granting habeas in *Abrego-Zarate v. Noem, et al.*, Case No. 25-cv-
03564-KML (D. Ariz. 11-6-25)(“in accord with numerous other courts
addressing the same issue—‘Respondents’ narrow focus on the language of
§ 1225(a)(1) fails to take account of the entirety of the statutory scheme...”

1 citing to *Echevarria v. Bondi, et al.*, CV-25-03252-PHX-DWL (ESW), 2025
2 WL 2821282, at *9 (D. Ariz. October 3, 2025)).

3 10) Order granting habeas in *Gonzalez Rodriguez-Zarate v. Bondi, et al.*, Case
4 No. 2 25-cv-03917-JJT (D. Ariz. 11-6-25) (“This Court agrees with the weight
of authority in determining Petitioner’s detention is subject to § 1226.”)

5 11) Order granting habeas in *Garcia-Rosales v. Noem, et al.*, No. 2:25-cv-
6 03391-SHD-DMF at page 2 (D. Ariz. Oct. 22, 2025) (“while Respondents
7 point to two district court opinions adopting their interpretation of §
8 1225(b)(2)(A), myriad other district courts have reached the same
conclusion as *Echevarria* and held individuals like Petitioner are not subject
to mandatory detention under 1225(b)(2)(A)”).

9 12) Order granting habeas corpus in *Benitez-Cornejo v. Cantu, et al.*, No. 2:25-
10 cv-03672 (D. Arizona Oct. 17, 2025) (“individuals like Petitioner are not
11 “arriving aliens” subject to mandatory detention but, rather, are subject to the
general removal statute, 8 U.S.C. § 1226(a)”).

12 13) Order granting habeas entered in *Hector Lopez-Melo v. Bondi, et al.*, Case
13 No. Case 2:25-cv-03394-DJH--JZB (D. Ariz. 10/9/2025) (“petitioner, who had
14 been present in the United States for years, was not an applicant for
admission under 1225(b)(2)(A) or subject to mandatory detention”).

15 14) Order granting habeas corpus in *Bo Li v. Cantu, et al.*, No. CV-25-02989-
16 PHX-SPL (D. Arizona 10/07/2025) (“Respondents maintain he is subject to
mandatory detention under 1225(b)(2). Again, Respondents are mistaken.”).

17
18 37. In *Padron-Carreron*, the Court commented that “Respondents point to
19 “at least five federal courts that have joined what the government acknowledges is a
20 minority position on whether § 1225 applies to persons in Petitioner’s position rather
21 than § 1226.”¹ The Court also mentioned four more that it was aware of.² However, it
22 concluded that “it is unsurprising that judges across the country are not in full
23 agreement on how this issue should be resolved—indeed, the Court previously
24

25
26 ¹ Those decisions are *Mejia Olalde v. Noem*, 2025 WL 3131942 (E.D. Mo. 2025), *Vargas Lopez v.*
27 *Trump*, 2025 WL 2780351 (D. Neb. 2025), *Chavez v. Noem*, 2025 WL 2730228 (S.D. Cal. 2025),
Pipa-Aquise v. Bondi, 2025 WL 2490657 (E.D. Va. 2025), and *Pena v. Hyde*, 2025 WL 2108913
28 (D. Mass. 2025).

² Those decisions are *Valencia v. Chestnut*, 2025 WL 3205133 (E.D. Cal. 2025); *Alonzo v. Noem*,
2025 WL 3208284 (E.D. Cal. 2025); *Sandoval v. Acuna*, 2025 WL 3048926 (W.D. La. 2025); *Rojas*
v. Olson, 2025 WL 3033967 (E.D. Wisc. 2025); *Garibay-Robledo v. Noem*, No. 1:25-CV-177-H,
Doc. 9 (N.D. Tex. Oct. 24, 2025).

1 emphasized that “it views this issue as presenting a complicated and debatable
2 question.” *Echevarria*, 2025 WL 2821282 at *5.

3 38. In 1997, after Congress amended the INA through the Illegal
4 Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA), EOIR and the
5 then-Immigration and Naturalization Service issued an interim rule to interpret and
6 apply IIRIRA. Specifically, under the heading of “Apprehension, Custody, and Detention
7 of Aliens,” the agencies explained that:
8

9 Despite being applicants for admission, alilens who are present
10 without having been admitted or paroled (formerly referred to
11 as aliens who entered without inspection) **will be eligible** for
 bond and bond redetermination.

12 62 Fed. Reg. at 10323 (emphasis added). The agencies thus made clear that
13 individuals who had entered without inspection **were** eligible for consideration for bond
14 and bond hearings before IJs under 8 U.S.C. § 1226 and its implementing regulations.
15

16 39. Thus, for almost 30 years, all participants in the immigration system
17 have understood that people arrested inside the United States generally fall within §
18 1226 for detention purposes and are therefore required to receive a bond hearing upon
19 request—even if they initially entered the country without permission. *See Martinez v.*
20 *Hyde*, No. 25-11613, 2025 WL 2084238, at *4 n.9 (D. Mass. July 24, 2025) (citing the
21 United States Solicitor General’s representation to the Supreme Court at oral argument
22 that “DHS’s long-standing interpretation has been that 1226(a) applies to those who
23 have crossed the border between ports of entry and are shortly thereafter
24 apprehended”).
25

26 40. Despite the overwhelming number of federal cases that have ruled
27 against the government’s position, DHS and DOJ are continuing to systemically
28 misclassify people and unlawfully deny them access to bond hearings and release on
bond during the pendency of their immigration proceedings.

CLAIMS FOR RELIEF
FIRST CLAIM FOR RELIEF

Violation of Fifth Amendment – Substantive Due Process

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4 41. Petitioner realleges and incorporates herein the allegations contained
5 in the preceding paragraphs of the petition as if fully set forth herein.

6 42. The Due Process Clause of the Fifth Amendment forbids the
7 government from depriving any “person” of liberty “without due process of law,”
8 including noncitizens. U.S. Const. amend. V.

9
10 43. Substantive due process asks whether a person’s life, liberty, or
11 property is deprived without sufficient purpose. There is no question that Petitioner has
12 been deprived of his liberty in this case.

13 44. The government’s continued detention of Petitioner is not supported
14 by any special interest or compelling justification that outweighs his liberty interest.

15 45. Petitioner’s ongoing detention when so many federal courts have held
16 that he is entitled to be considered for release upon posting an appropriate bond under
17 § 1226 constitutes prolonged detention and violates his substantive due process rights.
18

19 **SECOND CLAIM FOR RELIEF**
20 **Violation Of The Administrative Procedure Act**

21 46. Petitioner realleges and incorporates herein the allegations contained
22 in the preceding paragraphs of the petition as if fully set forth herein.

23 47. Procedural due process requires notice and an opportunity to be
24 heard before being deprived of a liberty or property interest. Mathews v. Eldridge, 424
25 U.S. 319, 332 (1976). One of the first inquiries in any case of violation of procedural
26 due process is whether the plaintiff has a protected property or liberty interest and, if
27 so, the extent or scope of that interest. Bd. of Regents of State Colls. v. Roth, 408 U.S.
28 564, 569–70 (1972).

1 48. The Supreme Court has recognized that property interests arise
2 where “rules or understandings” create “a legitimate claim of entitlement.” Bd. of
3 Regents, 408 U.S. at 577. Similarly, reliance on government policies and assurances
4 may give rise to protected expectations under the Due Process Clause. *Perry v.*
5 *Sindermann*, 408 U.S. 593, 601–03 (1972).
6

7 49. Here, Petitioner unquestionably has a substantive due process right to
8 her liberty, which may not be abridged absent adequate procedural protections. Where
9 a noncitizen is present in the United States on recognizance, i.e., with the
10 government’s knowledge and permission, for years “after [their] initial encounter” at the
11 border, “it cannot be denied that [she] was already in the country.” *Leng May Ma v.*
12 *Barber*, 357 U.S. 185, 187 (1958). Thus, Petitioner is reasonable in expecting
13 Respondents to follow the existing statutes and regulations and give him and give him
14 notice and an opportunity for a hearing before revoking his parole status. See, 8
15 U.S.C. § 1182(d)(5)(A); 8 C.F.R. § 212.5(e)(2).
16

17 50. Under the familiar *Mathews v. Eldridge* due process test, then, the
18 government’s decision to apprehend Petitioner and continue to detain him clearly
19 violates his procedural due process rights. First, caselaw establishes that Petitioner has
20 substantial legally protectable interests, created by his reliance on the government’s
21 parole policies. Second, the risk of erroneously depriving Petitioner of such interests is
22 severe, as she has not been afforded constitutionally sufficient process, prior to this
23 deprivation. See *Mathews*, 424 U.S. at 343. Third, the government’s interest in
24 detaining Petitioner is minimal. Petitioner has been continuously present in the United
25 States since she arrived, has obvious and concrete ties to the United States, and her
26 detention is thus not rationally related to any purpose civil immigration detention may
27 serve. See *Wong Wing v. United States*, 163 U.S. 228, 235–36 (1896); *Demore*, 538
28

1 U.S. at 523, 527–28. And additional process would entail little to no burden on the
2 government, especially considering the information Petitioner has already provided to
3 the government regarding his DACA eligibility showing he poses no flight risk or danger
4 to the community, per 8 C.F.R. § 236.22. See Mathews, 424 U.S. at 347.

5 51. Accordingly, Petitioner’s continued detention without notice and an
6 opportunity to be heard violates her procedural due process rights under the Fifth
7 Amendment of the Constitution.
8

9
10
11 **THIRD CLAIM FOR RELIEF**
12 **Violation Of The *Accardi* Doctrine**

13 52. Petitioner realleges and incorporates herein the allegations contained
14 in the preceding paragraphs of the petition as if fully set forth herein.

15 53. Respondents have failed to follow immigration-specific arrest and
16 processing regulations. Regulations governing immigration enforcement require that
17 warrantless arrests conform to the standards in 8 C.F.R. § 287.8(c). Specifically, for
18 any arrest, immigration officers must have reason to believe that an individual
19 committed an offense against the United States or was present illegally. 8 C.F.R. §
20 287.8(c)(2)(i). And, for a warrantless arrest, officers must also have reason to believe
21 that an individual is “likely to escape before a warrant can be obtained.” 8 C.F.R. §
22 287.8(c)(2)(ii).
23
24

25 54. At the time of her arrest by ICE agents and at all times since,
26 Petitioner has posed no danger to any person or to the community at large. Therefore,
27 Petitioner’s arrest and continued detention contravene regulations governing
28 immigration arrests in violation of the *Accardi* doctrine.

FOURTH CLAIM FOR RELIEF

Violation of Fifth Amendment Right - Procedural Due Process

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3 55. Petitioner realleges and incorporates herein the allegations contained
4 in the preceding paragraphs of the petition as if fully set forth herein.

5 56. The Due Process Clause of the Fifth Amendment guarantees
6 Petitioner the right to procedural due process in seeking a bond redetermination and
7 the government may not unreasonably restrict this right.

8 57. The government's knowing misclassification of Petitioner as an
9 "applicant for admission" under § 1225 in order to justify its argument for mandatory
10 detention is not supported by any special interest or compelling justification that
11 outweighs Petitioner's liberty interest.

12
13 58. The continued detention of Petitioner is not supported by any special
14 interest or compelling justification that outweighs his liberty interest.

15
16 **PRAYER FOR RELIEF**

17 **WHEREFORE** Petitioner Sandra Patricia Villanueva-Rollo respectfully
18 requests that the Court grant the following relief:

- 19 1. Assume jurisdiction over this matter;
20 2. Order Respondents not to transfer Petitioner out of this District
21 during the pendency of these proceedings, to preserve jurisdiction;
22 3. Issue a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 and
23 order Respondents to immediately release Petitioner from custody or,
24 in the alternative, order Respondents to provide Petitioner a bond
25 hearing under 8 U.S.C. § 1226, and without regard to the holding of
26 *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (B.I.A. 2025), within three
27 (3) business days;
28 4. Award Petitioner reasonable attorneys' fees and costs pursuant to
the Equal Access to Justice Act, 28 U.S.C. § 2412; and
5. Grant any further relief the Court deems just and proper.

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Dated: December 12, 2025, 2025

Attorney for Respondent

By: /s/ Erica Sanchez
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VERIFICATION PURSUANT TO 28 U.S.C. § 2242

1
2 I represent Petitioner Sandra Patricia Villanueva-Rollo and submit this verification
3 on his behalf. I hereby verify that the factual statements made in the foregoing Petition for
4 Writ of Habeas Corpus are true and correct to the best of my knowledge.
5

6
7 Dated: December 12, 2025, 2025

8 Attorney for Respondent

9 By: /s/ Erica Sanchez
10 Erica Sanchez, Of Counsel
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LIST OF EXHIBITS	
Exhibit 1.	Alien Booking Record and parole documents
Exhibit 2.	Notice to Appear
Exhibit 3.	12/9/2025 ICE Locator page
Exhibit 4.	Form I-589 Application for Asylum and for Withholding of Removal
Exhibit 5.	DHS Motion to Pretermit
Exhibit 6.	Petitioner's Opposition to Motion to Pretermit
Exhibit 7.	DHS Evidence
Exhibit 8.	<u>ICE Memo: Interim Guidance Regarding Detention Authority for Applications for Admission</u> (last visited September 8, 2025).
Exhibit 9.	<i>Matter of Yajure Hurtado</i> , 29 I&N Dec. 216 (B.I.A. 2025).