

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

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FRANCISCO ARMANDO MORAN  
VALLE,

*Petitioner*

v.

CAMILLA WAMSLEY,  
DHS ET AL.,

*Respondents*

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Civ No. 25-7110 (Judge Gallagher)

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TRAVERSE IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS

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## TRAVERSE IN SUPPORT OF PETITION FOR WRIT OF HABEAS CORPUS

Respondents filed an Opposition to Petitioner's Petition for Writ of Habeas Corpus.

Petitioner files this reply. For expediency of the Court, Petitioner will not respond to each point raised by Respondents. On page one of its Response, Petitioner writes, "This legal question has been considered by numerous courts in the wake of the Board of Immigration Appeals' ("BIA") decision in *Matter of Hurtado*, 29 I. & N. Dec. 216 (B.I.A. 2025). The vast majority—including all decisions in this district (more than 100 to date)—have rejected the government's position."

Respondents concede that this case is no different from "all decisions in this district (more than 100 to date)" that ruled that similarly situated Petitioners are entitled to a bond hearing before an Immigration Judge. Therefore, this Honorable Court should rule in favor of the Petitioner and order the Immigration Judge to grant a true bond hearing. Undersigned counsel is aware that certain Immigration Judges are offering bond hearings that (1) assert a bar to jurisdiction, and (2) offer an "alternative ruling" in the event that the BIA ultimately reverts to the proper interpretation of the law. However, this is not an adequate remedy. Instead, the only appropriate relief is for this Court to mandate either (1) the immediate release of Petitioner from custody, or (2) order the Immigration Judge to provide a bond hearing with the opportunity for release.

Should this Court require an additional basis for granting Petitioner's habeas Complaint, Undersigned Counsel believe Immigrations Judges are bound by the Final Summary Judgement in *Maldonado Bautista v. Santacruz*, No. 25-cv-1873, ECF No. 94 (C.D. Cal. Dec. 18, 2025); yet Immigration Judges continue to ignore this mandate. Once again, the only appropriate remedy is for this court to grant Petitioner's habeas Complaint.

**CONCLUSION AND PRAYER FOR RELIEF**

For the foregoing reasons, Petitioner respectfully requests that this Court:

1. Immediately Order the Petitioner's release from ICE custody;
2. In the alternative, Order that the Immigration Judge immediately grant Petitioner a bond hearing with the possibility of release after consideration of the traditional factors of danger to the community and flight risk.

Dated: January 25, 2026

Respectfully submitted,

/s/ Eric Rosenfeld

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**CERTIFICATE OF SERVICE**

I certify that on January 25, 2026, this document was filed electronically via the Court's CM/ECF system and served via CM/ECF on all counsel of record.

Dated: January 25, 2026

Respectfully submitted,

/s/ Eric Rosenfeld

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